

## HOUSE OF REPRESENTATIVES—Wednesday, April 9, 1997

The House met at 11 a.m. and was called to order by the Speaker pro tempore [Mr. GUTKNECHT].

### DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
April 9, 1997.

I hereby designate the Honorable GIL GUTKNECHT to act as Speaker pro tempore on this day.

NEWT GINGRICH,  
Speaker of the House of Representatives.

### PRAYER

The Reverend Dr. Jerry L. Spencer, Ridgecrest Baptist Church, Dothan, AL, offered the following prayer:

Our kind and all powerful God, Thou Who are art sovereign over Thine own created universe, we thank You for being available to us and to every person in the vast human family.

We greet You this morning with great anticipation for Thy brilliant presence. In humility and awe we come before You with confidence in Your love for us and Your never-ending desire to meet us at the point of our daily needs. We pray specifically for each Representative, their family, and their staff.

Great God, because we are always learning and becoming, would You please convict us when we fail ethically or morally or spiritually. Grant us repentance, and give us wisdom and discernment and courage.

We thank You for the challenges and the opportunities of this new day. We receive this day as a personal gift from You. You not only made this day for us but You made us for this day. This is the first day of the rest of our life. It could be the last day of our life. So, God, make it the best day of our life. Hallelujah, the Lord God omnipotent reigneth. Let us rejoice and be glad as we assume our responsibilities and diligently discharge our duties.

Praise the Messiah, Thy beloved Son, the Lord Jesus Christ. Amen.

### THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from North Carolina [Mr. JONES] come forward and lead the House in the Pledge of Allegiance.

Mr. JONES led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Sherman Williams, one of his secretaries.

### MESSAGE FROM THE SENATE

A message from the Senate by Ms. McDevitt, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 412. An act to approve a settlement agreement between the Bureau of Reclamation and the Oroville-Tonasket Irrigation District.

### THE REVEREND DR. JERRY L. SPENCER

(Mr. EVERETT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EVERETT. Mr. Speaker, I rise this morning to welcome to this body a good friend and distinguished clergyman from my congressional district. Dr. Jerry Spencer, pastor of Ridgecrest Baptist Church of Dothan, AL, is well known throughout the South for his dedication to God and for his active evangelism, which has taken him to such farflung places as Russia and India.

A native of Tennessee, a graduate of the University of Tennessee and the world's largest seminary, the Southwestern Baptist Theological Seminary in Fort Worth, TX, Dr. Spencer has pastored for the past 40 years while ministering in over 30 countries.

Dr. Spencer has recorded four albums, authored numerous books, and has penned articles appearing in many popular Christian periodicals. Furthermore, he is the past president of the National Conference of Southern Baptists and a current member of the executive board of the Southern Baptist Convention.

Since 1988, he has made Dothan, AL, his home, where he is a senior pastor of

the nearly 3,000-member Ridgecrest Baptist Church, one of the South's fastest growing churches.

Mr. Speaker, it is my great honor to welcome my friend, Jerry Spencer, to the U.S. House of Representatives, and I join the entire House in thanking him for offering this morning's prayer for this esteemed body.

### DO SOMETHING, CONGRESS

(Mr. MCGOVERN asked and was given permission to address the House for 1 minute.)

Mr. MCGOVERN. Mr. Speaker, at the beginning of this Congress we pledged to work together on issues that matter most to the American people. The Republican majority promised to work in a bipartisan way to improve the quality of life for working families everywhere.

Well, it is nearly 100 days later and what have the Republicans put forward? Have they tried to make college education more affordable? No, they have done nothing. Have they moved to guarantee health care for all children? No, they have done nothing. Have they tried to make pensions more portable and more secure? No, they have done nothing. Have they offered a plan for real campaign finance reform? No, Mr. Speaker, they have done nothing.

Democrats have a real agenda, and we have a message for the Republican leadership: Either lead, follow, or get out of the way.

Mr. Speaker, the 105th Congress does not have to be a do nothing Congress. Let us move forward on education and health care and pension security and real campaign finance reform. We can be the do something Congress, but we have got to start actually doing something, and we have got to start doing something today.

### WE NEED A TAX SYSTEM WHICH IS FAIR AND SIMPLE

(Mr. HEFLEY asked and was given permission to address the House for 1 minute.)

Mr. HEFLEY. Mr. Speaker, I have a problem, and my problem is I cannot decide which foolish, counterproductive, unfair tax I hate the most. I do not like the capital gains tax because it hurts economic growth and it kills job creation. I do not like the death tax because it takes one's life work, the fruit of a lifetime of labor and tells the grieving, "Pay up now, and if you can't afford to, I'm closing

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

up the family business." I do not like business taxes because it takes the taxes twice, and like the capital gains tax, it means fewer jobs for the people who need them most.

But perhaps the most odious, offensive and outrageously unfair part of the Tax Code is the personal income tax. The burden is too heavy, the loopholes are too pervasive, and the complexity is simply overwhelming.

When we look at the set of volumes that compromise the Federal Tax Code, 36,000 pages at last count, we cannot help but think who designed this thing? It is time to get a grip, junk the Tax Code, start all over, cut tax rates and pass a tax system which is both simple and fair.

#### HOW DUMB CAN WE BE?

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, America's building a new war machine that promises to be the mother of all mayhem, an awesome Air Force and Navy and the greatest land army ever in world history. And America is bankrolling this Goliath in China. That is right, in China, despite the fact that China is a brutal dictatorship that has already threatened to nuke their neighbors.

Now, Mr. Speaker, I say to the Congress, "If that's not enough to freeze dry your stir fry, check this out."

While China now sells Barbie and GI Joe to our kids, General Cho is stockpiling our assets.

Beam me up, Mr. Speaker. Hard-earned dollars by American workers building the next national security threat to the United States of America; how dumb can we be? How dumb?

The bottom line: Chinese toys today, but maybe just maybe a Chinese missile tomorrow. Think about it.

#### SUPPORT H.R. 15, THE MEDICARE PREVENTIVE BENEFITS IMPROVEMENT ACT

(Mr. BILIRAKIS asked and was given permission to revise and extend his remarks.)

Mr. BILIRAKIS. Mr. Speaker, I rise today to urge my colleagues to support H.R. 15, the Medicare Preventive Benefits Improvement Act. This legislation will ensure that important, sometimes even lifesaving, preventive benefits will be covered by the Medicare program.

The debate over the future of health care is one of the most critical issues we face as we approach the next century. H.R. 15 helps to address this important matter by providing preventive health benefits to seniors. It guarantees Medicare coverage for some of the most critical preventive screening

tests available. These tests include mammographies for women 50 and over, pap smears, colon cancer screening, prostate screening and diabetes self-management supplies.

As we move forward with budget negotiations we need to realize that there are issues that have bipartisan support. Many are included in H.R. 15, which currently has 79 cosponsors both Democrat and Republican.

Mr. Speaker, we must act now and pass this preventive health bill. It is good legislative policy and, most importantly, it will save lives.

#### CONGRESS IN PERMANENT STALL

(Ms. HOOLEY of Oregon asked and was given permission to revise and extend her remarks.)

Ms. HOOLEY of Oregon. Mr. Speaker, we are very frustrated by the slow start of this Congress. Even though we are about to pass the 100-day marker, this Congress is still stuck at the starting gate. To date we have only taken 60 votes compared to 2 years ago where we took 302 votes.

I would like to think that this Congress is sort of like an old car that is just taking a little while to get warmed up, but the troubling thing about this session is we seem to be in a permanent stall. We are not working on issues that matter to American families now, and there is no plan to work on them in the future.

The real tragedy is that these are issues both Democrats, Republicans and the Americans would like to work on, issues like reforming campaign finance, balancing our budget and improving our schools. We are not just working on them now, but they are not scheduled for the future.

Mr. Speaker, it is time for this Congress to abandon the "who cares" legislative agenda that has dominated the first 100 days of this Congress and get to work on the issues that really matter to the American people.

#### JUDGES ABUSING THEIR POWER

(Mr. SAM JOHNSON of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SAM JOHNSON of Texas. Mr. Speaker, there has been a lot of talk lately about Federal judges abusing their power. Federal judges have been ignoring the will of the people by overturning elections and legislating from the bench.

Judge Thelton Henderson did just that last year when he disregarded the will of 5 million California voters. He issued an injunction prohibiting the enactment of California's Proposition 209, which passed with 54 percent of the vote in November of 1994. Yesterday a 3-judge appeals panel voted 3-0 to overturn Henderson's ruling and allow the enactment of Proposition 209.

The panel said, and I quote, "A system which permits one judge to block with the stroke of a pen what over four million State residents voted to enact as law tests the integrity of our constitutional democracy."

I agree and applaud an all-America panel, 3-judge panel, for having the integrity to remind colleagues that they are there to interpret the law and not create it.

#### WHERE IS THE LEADERSHIP?

(Mr. LEWIS of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LEWIS of Georgia. Mr. Speaker, 4 years ago the Democrats were doing the heavy lifting to help hard-working families. The Family and Medical Leave Act, to help working parents, was law by February. The Motor-Voter Act, to bring more Americans into the democratic process, was law by May.

But now what are we doing? Nothing. We are not meeting, we are not working, we are not voting.

There is no excuse. There is work to be done. Too many of our young people cannot afford a college education. Too many children are dropping out of school. Ten million kids have no health insurance. In fact, while this Congress has done nothing, more than 300,000 children lost their health insurance.

Mr. Speaker, show us a bill on education, show us a bill on children health, show us a bill on campaign finance.

Where is the leadership? Where is the action? Where is the vision? Where is the beef? It is time to act, it is time to lead.

#### CAMPAIGN FINANCING

(Mr. TIAHRT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TIAHRT. Mr. Speaker, if my colleagues think the last campaign was too long, too costly and too negative, they ought to be mad. The AFL-CIO started negative political ads in Wichita, KS, last week, 19 months before the next election. Misleading false messages in the form of TV commercials are corrosive to our system of self government.

□ 1115

Here in America, the people govern. But how can they make good decisions when the information they get on television is false and misleading.

Most Americans believe that we ought to have time to govern, to represent the people, but when false campaign ads start 5 months after the last election, so does the next campaign. It is time for campaign reform, it is time for the AFL-CIO to be restricted to



separate voluntary contributions, not the taking of dues without the consent of their Members.

#### PUT FACES ON DIVERSITY AND CHILDREN'S HEALTH CARE

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, it is important this morning to put the face on several things that have occurred in this country that I think give us both a negative image and reputation, the face on Hopwood and the overturning of the very appropriate decision by the district court was to find 40 to 50 percent decline in minority students going to our institutions of higher learning across this Nation. The district court was right, the circuit court is wrong. We need opportunity and diversity in this country.

Then on the health care issue dealing with our children, let us put a face on health care for our children. Ten million children uninsured, an 11-year-old with asthma not being able to get health insurance. Seventy percent of those are working families making less than \$500 a week, making \$17,000 to \$29,000 a year, working hard every day and not being able to insure their children, not being able to let children play in Little League or cheerleaders because they are fearful that they will get some sort of deadly illness that the working parent cannot pay for.

This is a crime and a crisis. Put the faces on diversity, put the faces on children's health insurance. Let us do something positive in this Congress. Let us applaud and affirm diversity and let us make sure our children are insured.

#### IT IS TIME TO CUT TAXES

(Mr. JONES asked and was given permission to address the House for 1 minute.)

Mr. JONES. Mr. Speaker, on February 13, 1913, a day that will live in infamy, the 16th amendment to the Constitution was ratified.

Twelve words, Mr. Speaker, just 12 words was all it took to give the politicians in Washington a permanent hand in the pocket of every working person in America. "The Congress shall have the power to lay and collect taxes on incomes." The rest, Mr. Speaker, is history.

Who could have guessed that those 12 words would lead to our present state of affairs where the average family pays more in taxes than it pays for clothing, housing, and food combined.

Mr. Speaker, that is not right. This is about fairness. It is not fair that the family living from paycheck to paycheck struggles to make ends meet. It is not fair that taxpayers should have

to send over one-third of their income to the politicians in Washington.

Mr. Speaker, taxes are too high. It is time to cut taxes for the American people.

#### WASHINGTON TO WORK

(Mr. DOGGETT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOGGETT. Mr. Speaker, as an advocate of the Welfare To Work initiative last year, I come forward to propose a sequel this year: Washington To Work. How about it? How about this House getting to work the way they said they wanted the welfare folks to go to work last year. Mr. Speaker, the work ethic seems to be in full blown retreat here in Washington.

I spent some time preparing this comprehensive list of all of the accomplishments of this Gingrich Congress. Here they are, and there is room for a little more on this blank chart, because there are millions of children who have no health insurance; there are millions of young people who want the chance to pursue a college education.

There are those of us who want the budget balanced with true balance, who want to reform the campaign finance system, and yet in this leaderless, aimless Gingrich House, this is the comprehensive list of accomplishments. It is time to apply the same work ethic to this House that our Republican colleagues and some of us on the Democratic side sought to apply to the welfare system last year.

#### COSTLY EPA REGULATIONS WILL HARM AMERICAN PEOPLE

(Mr. NEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. NEY. Mr. Speaker, I will tell my colleagues somebody that is working in overdrive is the head of the U.S. EPA. Unfortunately, it is not working for us. She is making a policy decision that will directly affect the lives of millions of working families, all without basing them on sound science and in-depth research into the effects of these regulations on working people in our country. We cannot let this happen.

Therefore, I am hosting a statewide conference in Columbus, OH, on Monday, April 14. The purpose is to fight the new irrational air proposals by the U.S. EPA. I will be joined by the Governor of the State; the head of the Ohio EPA, Don Schregardus; George Wolff, who is head of the U.S. EPA's Clean Air Scientific Advisory Committee; and members of the Ohio legislature. The purpose: To tell the truth about these costly environmental regulations that will do great harm to America's

working families, without any health care benefits.

This is a bipartisan conference supported by Republicans and Democrats all over Ohio who are concerned about the punitive, callous, mean-spirited actions of EPA Administrator Carol Browner directed at the people least able to pay, our working families; we have to stop this now.

#### LET US WORK IN THE 105TH CONGRESS

(Mr. GREEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GREEN. Mr. Speaker, the first 100 days are supposed to set the standard for the session ahead. I hope this is not the case with this Congress, which has been plagued with delays on everything, not the least of which is the budget.

The Republican leadership has pushed back deadlines for voting for budget proposals, and now we hear it will be the summertime before we can expect to discuss the budget.

While the President submitted a budget more than 2 months ago, we still have yet to see an alternative budget from the Republicans. While we have fielded criticism on the President's budget, we cannot fight fire with fire because we have nothing to add to the numbers to compare the President's budget to what we have, which is nothing, so we have to move.

Similarly, we continue to waste time by not addressing the health care crisis for America's children. At the end of March a Families USA study told us that 2 million people were uninsured for at least 1 month in 1995 and 1996; 10 million children were uninsured for the entire year of 1995. We need to address this issue and other issues that affect our country.

Senators KENNEDY and HATCH have worked together in a bipartisan manner on a children's health care plan. Maybe we need to follow their lead and do something for children's health care in this House. Lead, follow, or get out of the way.

#### WE MUST CUT TAXES

(Mr. HUTCHINSON asked and was given permission to address the House for 1 minute.)

Mr. HUTCHINSON. Mr. Speaker, I speak out today to express the frustration that millions of hard-working Americans feel about a government that promises tax cuts but fails to deliver.

I remember the promises made time and time again during campaigns about tax breaks for middle-income Americans. We have promises that we must keep. Is it any wonder that so many Americans feel alienated from a government that takes almost one-third,

and sometimes more, of taxes from the average family's earnings.

Mr. Speaker, who will speak for the common man? The person who does not belong to any special interest, who is not part of a PAC or a powerful lobby, who speaks for him? Mr. Speaker, who will speak for that single mother who works a second job at night to make ends meet or on weekends just to pay the taxes that are owed to Uncle Sam. Who speaks for her? We must cut taxes, Mr. Speaker. We have promises to keep. Those who feel they have no voice deserve to have their taxes cut.

#### CONGRESS MUST ATTEND TO PRIVACY ISSUES OF OUR CITIZENS

(Mr. KANJORSKI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KANJORSKI. Mr. Speaker, the newspapers are replete this week with IRS browsing of confidential information of American taxpayers' earnings. Recently, we read that Social Security is trying to outdo the IRS by putting on the Internet individual Americans' total lifetime earning records and making it easily accessible. Putting lifetime earning records of American citizens on the Internet is not user friendly, but abuser friendly.

Mr. Speaker, I am preparing to introduce on April 15 a piece of legislation that will inhibit the Social Security Administration from carrying on this process and establish a commission to study what confidential information should be put on the records held by the Government, so that abusers cannot invade the privacy of American citizens.

Imagine, anyone today can put a name, a Social Security number, a date of birth of that individual, the place of birth of that individual, and the mother's maiden name of that individual and get the information of lifetime earning records of that individual. That is abusive. This Congress must attend to the work of the privacy of American citizens. I urge my colleagues to join me in this legislation.

#### A SALUTE TO NICK ACKERMAN

(Mr. GANSKE asked and was given permission to address the House for 1 minute.)

Mr. GANSKE. Mr. Speaker, Nick Ackerman, of Colfax-Mingo, IA, lost to Clint Jones, of Bondurant-Farrar to place sixth during the recent Iowa State high school wrestling tournament. What is remarkable about this is that Nick's lower legs were amputated just below the knees when he was 1½ years old in order to stem an infection threatening his life.

Nick has always thought that he was normal: "I used to break the legs off my GI Joes to make them look like

me." Years ago Nick corrected a school nurse who was explaining to his friends that Nick had a disability by telling her that he had a special ability. "I can take my legs off and nobody else in school can." As Vince Lombardi said, "it is not whether you get knocked down, it is whether you get up."

Nick may not have won a State championship in wrestling, but for those of us who watched him compete from his knees, he is a real winner. I and my colleagues in the U.S. House of Representatives salute his spirit.

#### THE 105TH CONGRESS SHOULD MOVE FORWARD

(Mr. WEYGAND asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WEYGAND. Mr. Speaker, I bring to my colleagues today greetings from the Republican molasses of the 105th Congress. The last 2 weeks we have been on recess, but I understand both the CBO and OMB in Washington have been working to analyze the difference between this jar of molasses and the rate by which this Congress has been working. I am here to report that even though CBO scored it a little bit more conservatively, both CBO and OMB agree: molasses beat out the 105th Congress in terms of the work they are doing for American families.

It is critical for us to understand that if we are to move forward on the issues of education for our kids, health care for the low and middle income, protecting our seniors, working for jobs and reducing taxes, we have to move forward. Quite frankly, Mr. Speaker, we have not been. We are like the jar of molasses moving ever so slowly, never seeming to accomplish anything.

I urge my colleagues, particularly the Republican leadership, to let us put the agenda on the table. We as Democrats recognize we do not have the majority, but at least let us vote on the issues and move forward with America's agenda.

#### BIG GOVERNMENT IS NOT THE ANSWER

(Mr. KINGSTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KINGSTON. Mr. Speaker, I am really disturbed about these Democrats. Apparently they are taking their paychecks and they are not working. What is it with my colleagues? My friends on the other side of the aisle all should be out having town meetings, visiting with constituents, visiting plants, talking to people, doing casework. If my colleagues are ashamed of the fact that they are not working, do not blame it on NEWT GINGRICH, go home and resign.

There is lots to be done. I realize that there is frustration that we are not up here passing more laws, more power, more for bureaucracy, more control over small businesses. I know what it is my colleagues on the other side of the aisle consider great fun, and that is growing the size of government. Mr. Speaker, the folks back home think it is a good day's work when government does not get bigger and bigger every single day, every single year.

Mr. Speaker, the IRS, just take them alone. The IRS right now is up to 111,000 employees. Americans spend over \$1.8 billion man-hours a year just filling out their IRS income tax forms. Businesses spend \$3.6 billion complying with their paperwork. That is too much government, too much bureaucracy.

Mr. Speaker, passing more laws and increasing the size of government is not the key to utopia, much to the disappointment of some of our colleagues on the other side of the aisle.

□ 1130

#### THE REPUBLICAN MAJORITY DO- NOTHING CONGRESS

(Ms. DELAURO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DELAURO. Mr. Speaker, I just want to let the gentleman know that it costs the Federal Government \$288,000 a week to cart Members back from their districts, across this country, to bring us here to do nothing because the Republican majority of this House has no agenda; Mr. Speaker, \$288,000 a week. Think about what working middle-class families in this country would be able to reap the benefit of if they had that kind of money.

Earlier this week, the Washington Post labeled this Gingrich Congress the do-nothing Congress. It is true. This Congress has spent the last 3 months doing a whole lot of nothing. My colleagues on the other side of the aisle have refused to produce a budget, refused to hold hearings on campaign finance reform, refused to schedule action on kids' health care, and refused to schedule a vote on any of the Democratic education initiatives: how to get kids to school and have working families be able to afford that.

The Republican majority would like to continue to do nothing. So be it. But get out of the way so others can talk about an agenda that helps working families in this country.

#### THE AMERICAN PEOPLE WANT LOWER TAXES AND LESS INTRU- SION FROM WASHINGTON

(Mr. HERGER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)



Mr. HERGER. Mr. Speaker, I have discovered something very upsetting in the information; upsetting, that is, to the media and the elite who want to run our lives. Mr. Speaker, it turns out that the American people do want tax relief. The latest USA Today CNN Gallup poll shows that 70 percent of Americans want a tax cut in any budget agreement this year. Seventy percent. Furthermore, a majority, 52 percent, say tax cuts and deficit reduction can be accomplished at the same time.

Maybe the White House will find a way to spin these facts to mean the opposite of what they say. Maybe they think the American people are just kidding. Maybe they think the American people did not actually mean to elect a Republican Congress that ran on a promise of tax cuts and tax reforms.

On the other hand, maybe they should just accept the truth: The American people support lower taxes, smaller government, and less intrusion from Washington.

#### URGING COSPONSORSHIP OF H.R. 14, THE CAPITAL GAINS TAX CUT MEASURE

(Mr. DREIER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DREIER. Mr. Speaker, I am very happy to inform the House that we now have over 114 cosponsors on the most important family tax cut measure that we could possibly consider. What is that family tax cut measure? It is the bill, H.R. 14, to take the top rate on capital gains from 28 percent to 14 percent.

I call it the most important family tax cut measure, Mr. Speaker, because this will in fact, based on two studies that have been conducted, increase the take-home wages of the average American family by \$1,500.

The argument we have heard in years past is that a capital gains tax rate reduction is nothing but a tax cut for the rich. Nothing could be further from the truth. We need to bring this about. It not only will increase take-home wages, it will help us in our effort to decrease the deficit and deal with our national debt problem.

Mr. Speaker, I urge my colleagues if they have not already joined in the cosponsorship of my measure, which includes my colleague, the gentlewoman from Missouri, KAREN MCCARTHY, the gentleman from Virginia, Mr. MORAN, the gentleman from Florida, and several other people who are involved in this in a bipartisan way, I urge Members to cosponsor it.

#### PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES ON WEDNESDAY, APRIL 9, 1997, OR THURSDAY, APRIL 10, 1997

Mr. DREIER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 107 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

##### H. Res. 107

*Resolved*, That it shall be in order at any time on Wednesday, April 9, 1997, or on Thursday, April 10, 1997, for the Speaker to entertain motions that the House suspend the rules. The Speaker or his designee shall consult with the minority leader or his designee on the designation of any matter for consideration pursuant to this resolution.

The SPEAKER pro tempore (Mr. GUTKNECHT). The gentleman from California [Mr. DREIER] is recognized for 1 hour.

Mr. DREIER. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to my very good friend, the gentlewoman from Fairport, NY [Ms. SLAUGHTER] and pending that, I yield myself such time as I may consume. All time that I am yielding is for debate purposes only.

Mr. Speaker, this rule makes in order at any time on Wednesday, April 9, 1997, or on Thursday, April 10, 1997, today and tomorrow, for the Speaker to entertain motions that the House suspend the rules. The rule further requires the Speaker or his designee to consult with the minority leader or his designee on the designation of any matter for consideration pursuant to the rule.

Mr. Speaker, as my colleagues are aware, clause 1 of House rule 27 allows the Speaker to entertain motions to suspend the rules on Mondays and Tuesdays. The majority attempted to work with the minority to reach a unanimous-consent agreement to allow suspensions today and tomorrow. However, there was, unfortunately, an objection to that request. Absent a unanimous-consent agreement, a rule is necessary to allow suspensions on these days.

Mr. Speaker, this is a totally non-controversial rule. As many Members on both sides of the aisle have said over the 1-minute period this morning, they want to see us begin moving ahead with our work. We want to do that. We want to take up these measures that could be considered under suspension of the rules.

Mr. Speaker, this rule itself is non-controversial. It requires consultation with the minority, so I hope very much that we can move as expeditiously as possible to pass this.

Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today to urge my colleagues to defeat this rule and the previous question. The rule under consideration serves no purpose, other than to allow the majority to require the Members of the body to return to the floor of this House day after day, all week long, to vote on measures which are noncontroversial and undeserving of an entire week's debate, particularly when so many more valuable and worthwhile bills languish unattended.

I can understand why the majority needs this rule, because it is a fig leaf. They are hoping if it passes they will have coverage they need to conceal the utter lack of any legislative agenda so they can drag out the consideration of a few minor bills and make this look like a work week. This rule is downright disrespectful, not just to the time of the honorable Members of the body, but to the voters we represent and their tax dollars.

It costs the taxpayers of this country \$288,000 to bring all of us back to Washington this week, and for what? In the 105th Congress, we have worked less than 4 weeks' work, that is about a week a month, we are 4 months into this session, and that, considering the work week of the average American, is pretty disrespectful to them.

I am only one Member of this body, and a member of the minority at that, but I have a better agenda myself than the leadership of the House does. For example, one of the top priorities of the American people is campaign finance reform. Where is the leadership on this issue? They do not have a bill, but I do.

Last week the Federal Communications Commission voted out a rule that gives the new digital spectrum licenses available to broadcast stations. It has been widely suggested by such leaders as Senators MCCAIN and FEINGOLD, journalists like Walter Cronkite and David Broder, industry leaders like Rupert Murdoch and Barry Diller, and none other than President Clinton, that in exchange for the new spectrum rights the broadcasters should be required to provide free television time to political candidates.

Coincidentally, I have a bill, the Fairness in Political Advertising Act, that would condition station licensing on making available free broadcast time for political advertising.

My bill also includes a requirement that candidates who accept free time must use that time themselves speaking directly into the camera, and I believe it makes them directly accountable for the statements that are made in their campaigns. I hope it will cut down on the negative campaigning that has become the norm.

I challenge any of my colleagues to tell me why my bill continues to languish in the committee while we have no business on the floor and we could

be considering legislation. The fundraising scandals currently splashed across the Nation's newspapers have forced campaign finance reform to the top of the political agenda, but we have no action here. It is a shame that we are missing this opportunity to enact worthwhile and viable reform, particularly on such an important and timely issue.

On another front, we are fast approaching the anniversary of the Oklahoma City bombing, but 2 years later domestic terrorism thrives. Criminal bombings have doubled since 1988. We have a duty in Congress to keep explosive materials out of the wrong hands. I have a bill that would do just that. It would require Federal permits for all explosive purchases, mandate a nationwide background check for these permits. It would increase penalties for those who violate the Federal explosive law. We cannot afford not to pass this legislation as we approach this tragic anniversary, but it languishes out there somewhere while we do nothing.

Another pressing issue that Congress should be considering is making sure our laws keep pace with the astounding pace of scientific discovery in genetics. Time and again my constituents tell me they are worried about losing their health insurance. They are particularly worried that new technologies, like genetic testing, will open up new avenues for discrimination in health insurance and enable insurers to determine who is predisposed to a particular disorder and use that information to deny or raise the rates on their health insurance.

I have sponsored legislation that would prevent that being used against the person. It simply prevents the companies from using the information to cancel, deny, refuse to renew, change the premiums, terms or conditions of health insurance. This is so important to people in America now. We are concerned that people do not want to know the information vital to their lives because of the fear they have of losing their health insurance. Indeed, it might even bring a stop to research. If we do not pass legislation to protect Americans against this kind of discrimination, there will be dire consequences.

There are other considerations as well. Our constituents are asking what has gone wrong with our judicial system that allows repeat sexual offenders to revolve in and out of prison. Sexual predators and serial rapists continue to drift through our communities, circumventing local penal codes that vary widely by State.

Congress has a responsibility to address the issue by passing a bill that would put an end to the cycle of violence. The Sexual Predators Act is a measure I wrote that would do just that. It allows for the Federal prosecution of rapes and serial sexual assaults

committed by repeat offenders, requires that repeat offenders automatically be sentenced to life in prison without parole.

I authored this bill to give local law enforcement the option of pursuing Federal prosecution to ensure that these predators, who often cross State lines, remain in jail, since many States have far less punishment available under their own laws. Instead of letting sexual predators out on the street to prey again, tough and certain punishment is required at the national level. No man, woman, or child in America should have to live in fear of a serial rapist or habitual child molester.

Enacting legislation is our business here. I know one of the previous speakers this morning had said better we should all be home having town meetings. But my people in my district, the 28th District of New York, expect me to be down here working for my paycheck. They are aware of the fact that it costs \$288,000 to bring us back to Congress every week because I have told them that. They wonder where in the world the legislation is.

The things that are on their mind are what are we going to do, how are we going to keep our health insurance? What is happening to health care? What about my child? Is it going to have the child care it needs? What are you doing down there to make sure education stays strong?

Mr. Speaker, if the previous question is defeated today, and I hope it is, and I certainly urge my colleagues to vote for its defeat, if it is defeated, I will offer an amendment that would require the House to consider campaign finance reform before Memorial Day recess, May 31, so a final campaign finance reform bill can be sent to President Clinton before July 4. I think that is the least we can do.

Mr. Speaker, I reserve the balance of my time.

Mr. DREIER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me first say to my friend, the gentlewoman from New York, that I very much appreciate her enlightening the House on her legislative agenda for the year, and to say there are many very interesting proposals that she offers. Frankly, there are some solutions that I think are worthy of consideration as we move through the committee process.

Let me say, as far as where we are today, I believe that we need to recognize that there are measures that we hope to bring up under suspension of the rules that deal with the veterans of this country. There is a great interest in a bipartisan way to see us move ahead with the Veterans Employment Opportunities Act of 1997, and the other suspension which we are hoping to bring up today, if we can move ahead with this rule, is the American Samoan Development Act of 1997.

I know committees are working, and they are trying to deal with many of the very important issues that my friend raised. It is my hope we will be able to just as quickly as possible get to those items, as well as campaign finance reform.

□ 1145

I have introduced my own campaign finance reform bill, which I think is very worthy of consideration. Actually, I have not introduced it yet. I am crafting it now and will be introducing it in the not too distant future. I hope we will be able to consider it. But we should look at a wide range of areas.

Mr. FRANK of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. DREIER. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Speaker, I thank the gentleman for yielding to me.

I do not think anyone on our side wants to denigrate the importance of the veterans bill or the Samoan development bill. My question is, why did we not do them yesterday? We are not objecting to doing those bills, but Monday and Tuesday are the regular suspension days. We hardly worked ourselves into a lather yesterday.

Our question is, given these important bills, why did we not do them on the regular suspension day rather than have to do an extraordinary procedure to take them up today?

Mr. DREIER. Mr. Speaker, as my friend knows, we have just returned from the Easter work period, and we usually have a travel day there following.

Mr. FRANK of Massachusetts. Mr. Speaker, yesterday we were voting.

Mr. DREIER. After 5, it was after 5 so the Members could travel on Tuesday. That was the reason that we proceeded with the suspensions.

Mr. FRANK of Massachusetts. Mr. Speaker, if the gentleman will continue to yield, we had two debates on substantive issues. We did have one very substantive bill yesterday, but some people in the industry affected complained, the private mortgage insurance bill, so that got pulled lest their feelings be hurt, much less their profits. We were through voting by about 20 after 5. Another two votes would have added 10 minutes.

I understand we had 2 weeks off. Is there some implicit notion that we have to have a decompression chamber, that after 2 weeks off the Members will get the legislative bends if they have to deal with three or four bills in 1 day?

Mr. DREIER. Mr. Speaker, I do not feel that way. Frankly, everyone cannot handle it quite as well as my friend from Massachusetts.

Mr. Speaker, I yield such time as he may consume to gentleman from Glens Falls, NY [Mr. SOLOMON], chairman of the Committee on Rules.



Mr. SOLOMON. Well, as Ronald Reagan used to say, let me just say to my good friend from Claremont, CA, one would think he is the State Department, he is being so diplomatic. Unfortunately, I do not have that kind of attribute myself, so I will be a little more blunt. I really am concerned about people standing up here and talking about campaign finance reform. When I go home and I go to a hockey game and there are 6,000 people in the stands, not once over this winter has anybody mentioned campaign finance reform.

What they did mention is that we ought to be enforcing the laws down there and what are all these illegal contributions that are coming in from the Chinese and from other places. I hear a lot about that.

I also hear a lot about people that are concerned about their jobs, and some of them are former members of the armed services. They are veterans now. They are concerned about a bill we have got on the calendar right here today. It happens to be a heck of a lot more important than campaign finance reform. This bill is H.R. 240. It is the Veterans Employment Opportunities Act of 1997 that we have been trying to get through this House now for a number of years.

While I am talking about that, let me also refer to an article by the gentleman from South Carolina [Mr. FLOYD SPENCE]. It is called the National Security Report, U.S. Defense Budget, Walking the Tightrope Without a Net.

Attached to it is a story that was in the Washington Post on April 9. I do not even know what day that is. I have lost track of the time. But this one says: Military forces are near breaking point, GOP report charges.

Let me tell my colleagues I just got back from a place called Bosnia, and I can say that we have some serious problems in this country today. We have got a problem with maintaining the commissioned officers in our military today. We have a problem in maintaining the noncommissioned officers in this military today because they are afraid there is no more opportunity out there for an honorable career in the military. Why not?

I see the gentleman from Florida [Mr. YOUNG] sitting back there, one of the finest Members of this body. He can stand up here and tell us the same thing, we are letting our military budget go back to what it was back in the 1970's, when we were losing all of our military personnel, because they could not afford to stay in the military because their families were on welfare. Their families were on food stamps. These are the kinds of things we ought to be debating. I will include these articles for the RECORD.

Let me get back to the bill that this rule makes in order. Again, it is the

Veterans Employment Opportunities Act. Mr. Speaker, I am going to tell my colleagues there are some disturbing trends in this country and in this very Government of ours with regard to veterans employment. It is hard for me to believe and impossible to understand, but American veterans are actually discriminated against when it comes to finding jobs in this country but especially in our Government. If my colleagues do not believe it, just go out and ask any number of them like I do at the hockey games I was just referring to.

That is why this bill is so terribly important, in order to impress upon the private sector the importance of hiring our Nation's service men and women. It is critical that we start with this very Federal Government and our own House, that means the employees of this Congress. This bill does that by putting some real teeth to the veterans preference laws already on the books so that when it comes to hiring, promotions and reductions in force, managers and supervisors are going to think twice before they try to get rid of the veterans, the few that we have.

That is because this bill makes failure to comply with veterans preference laws a prohibited personnel practice. These managers will be putting their own jobs at risk. What about our own House and the Congress? Well, this bill finally expands veterans preferences to nonpolitical jobs in the Congress. But not only that, it expands it to the nonpolitical jobs at the White House and to certain jobs in the judiciary branch as well.

More and more so, this Government has been suffering without the invaluable experience and background of American veterans and what they have to offer. This bill will put an end to that by giving our men and women in uniform a fighting chance when it comes to finding a Federal job. Can you imagine that? They do not even have a fighting chance today.

That is necessary because every time a young person enlists in the military, they are doing a service for the country that places them at a disadvantage on the pay scale relative to their peers. For instance, if a young 18-year-old boy or girl enlists in the military, and he goes on to serve 3 or 4 years and then his peer goes to college and serves, and finishes the same 3 or 4 years getting a degree, that young man or woman who served in the military is always 4 years behind on the success scale of opportunity, of the ability to be promoted.

When they leave the military, it is critical that we follow through our guarantees like veterans preferences in order to ensure that we continue to attract the best all-voluntary military in the world. I emphasize all-voluntary military. For the last 15 years or so, we do not have a draft. We depend on an all-voluntary military, attracting

young men and women from all across the spectrum to serve in our military.

Take our young men and women in Bosnia whom I just mentioned a few minutes ago whom I had the privilege of visiting last Thursday and witnessing the very tremendous job that they are doing under very, very difficult circumstances today. They have committed themselves to serving their country overseas, many of them reservists who put their civilian lives on hold. This bill includes my own personal bill, H.R. 665, that makes all of those service men and women in Bosnia eligible for veterans preferences when it comes to finding Government jobs. When they come back out of Bosnia, they are going to be full qualified veterans having served in a combat situation and therefore they get veterans preferences.

Mr. Speaker, I want to commend the good work of the gentleman from Florida [Mr. MICA], the chairman, who will be here in a few minutes in moving this bill to the floor today and urge all the Members to support it. Let us send an overwhelming message to the Senate, the American people and, most importantly, our military personnel that we treasure what they do and we take very seriously the commitments we have made to them when they return from civilian life.

Mr. Speaker, I thank the gentleman for the time. I include for the RECORD the articles to which I referred:

[From the National Security Report, April 1997]

#### U.S. DEFENSE BUDGET: WALKING THE TIGHTROPE WITHOUT A NET

The Clinton administration's defense budget request of \$265.3 billion for Fiscal Year (FY) 1998 represents a 2 percent real decrease from current (FY 1997) spending. As such, it continues a 13-year-long trend of real defense spending decline and it marks a 38 percent real reduction in spending from defense budgets in the mid-1980s.

The FY 1998 defense budget request represents 3.1 percent of the nation's gross domestic product, down more than 50 percent from the 1985 level of 6.4 percent. The FY 1998 defense budget request, when measured in constant dollars, represents the smallest defense budget since 1950.

Indeed, cuts from the defense budget have provided a substantial contribution to reductions in the federal deficit in the 1990s. In fact, defense cuts account for the vast majority of deficit reduction to date that is attributable to the discretionary budget. Based on the president's FY 1998 budget, between FY 1990-2000, entitlements and domestic discretionary outlays will increase substantially, while outlays for defense will decrease 32 percent. So the trend continues.

From the standpoint of military capability, the administration's FY 1998 defense budget request perpetuates the mismatch between defense strategy and resources—the widening gap between the forces and budgets required by the national military strategy and the forces actually paid for by the defense budget. In January 1997, the Congressional Budget Office (CBO) estimated the president's defense budget to be underfunded by approximately \$55 billion over the course

of the next five years. However, many independent analyses, including that of the General Accounting Office, assess the shortfall to be much greater.

The FY 1998 defense budget request also reflects the administration's continued pattern of cutting long-term investment funding necessary for the modernization of aging equipment in order to pay for near-term readiness shortfalls. The FY 1998 procurement request of \$42.6 billion is actually less than current (FY 1997) procurement spending levels and approximately 30 percent below the procurement spending level identified by the Joint Chiefs of Staff as necessary to modernize even the smaller military of the 1990s. Since 1995, the administration has vowed to end the "procurement holiday," but its plan to increase modernization spending is skewed heavily toward the later years of the five-year defense program, with the bulk of the proposed increases projected to occur beyond the end of the President's second term in office.

The inability to field new systems is highlighted by the administration's lack of funding for missile defenses. Six years after the Gulf War, which demonstrated both the strategic and military importance of effective ballistic missile defenses, the administration continues to shortchange spending for such programs, cutting the national missile defense program to protect the American people from the threat of ballistic missile attack by over \$300 million from current (FY 1997) spending levels.

One of the primary reasons modernization spending continues to be reduced and used as a "billpayer" for shortfalls elsewhere in the defense budget is the administration's persistent underestimation of readiness and operational requirements. The FY 1998 defense budget request includes \$2.9 billion less for procurement and \$5.2 billion more for operations and maintenance (O&M) spending than was projected for FY 1998 by the administration just last year. This miscalculation results from the Pentagon's underestimation of its own infrastructure and overhead costs as well as from the continuing high and costly pace of manpower-intensive peacekeeping and humanitarian operations.

The diversion of troops, equipment, and resources from necessary day-to-day training in order to support these ongoing operations means that even those O&M funds being requested are not purchasing the kind of readiness central to the execution of the national military strategy.

Although the administration contends that the post-Cold War defense drawdown—a drawdown that has cut the nation's military by one-third since 1990—is nearly complete, the FY 1998 defense budget request reduces both the Navy and Air Force below the personnel levels mandated by law and below the levels called for by the national military strategy. While military forces are shrinking to dangerously low levels, the pace and duration of contingency operations are increasing. These conflicting trends are hurting military readiness, are eroding quality of life, and are certainly not conducive to maintaining a high quality, all-volunteer force in the long run.

[From the Washington Post, Apr. 9, 1997]

MILITARY FORCES ARE NEAR "BREAKING POINT," GOP REPORT CHARGES

(By Bradley Graham)

Increased demands on a reduced U.S. military to engage in peace operations and other noncombat missions have stretched units to

"the breaking point," according to a House Republican report on the condition of American forces to be released today.

While congressional warnings about a growing military readiness problem have sounded for several years, the new study provides the most extensive anecdotal evidence so far about the toll on American forces of frequent post-Cold War deployments, long tours away from home, personnel shortages, and inadequate pay and living conditions.

"Indicators of a long-term systemic readiness problem are far more prevalent today than they were in 1994," said the report issued by Rep. Floyd Spence (R-S.C.), chairman of the House National Security Committee, after a seven-month study by his staff. "Declining defense budgets, a smaller force structure, fewer personnel and aging equipment, all in the context of an increase in the pace of operations, are stretching U.S. military forces to the breaking point."

Pentagon leaders, citing official readiness indicators, have insisted that U.S. forces remain as prepared for battle as ever.

For several years, the Clinton administration has listed readiness as its top priority in apportioning the defense budget, setting a historical high in operational and maintenance spending per soldier.

Some defense experts have accused Republican legislators of fanning talk of a readiness crisis for political ends—to justify increases in defense spending, forestall more troop reductions and embarrass the Clinton administration. They contend that any strains in the force could be relieved simply by more selective and efficient management of deployments.

But the House report, which was drafted without the participation of committee Democrats, describes a pervasive erosion of operational conditions and combat training. It says the quality of military life is deteriorating "to the point where a growing number of talented and dedicated military personnel and their families are questioning the desirability of a life in uniform." And it says military equipment is aging prematurely due to extended use and reduced maintenance.

The report faults the Pentagon's system for tracking readiness as flawed and incomplete.

The system, which is being revised by Defense Department officials, has focused mostly on whether units possess the required resources and training for wartime missions and includes little provision for measuring such factors as morale or deployment rates.

The official view of how troops are faring, the report asserts, contrasts markedly with what committee staff members found in visits to more than two dozen installations and over 50 units in the United States and Europe.

"Doing more with less may be the military's new motto," says the report, "but it is certainly not a sustainable strategy, nor is it conducive to ensuring the long-term viability of an all-volunteer force."

With the Pentagon in a middle of a major review of U.S. defense needs, the report cautions that any attempt to shrink the force further will "surely exacerbate the readiness problems that are identified in this report."

Since the waning days of the Cold War, American forces have dropped from 2.1 million to 1.45 million service members, while the number of deployments to such places as Bosnia, Haiti and Somalia has risen sharply.

Although only a small percentage of all U.S. military forces is involved in these missions at any given time, the extended duration and frequency of the deployments have magnified their impact.

The combination of lower troop numbers and more numerous deployments has led to shortages particularly of mid-grade, non-commissioned officers, the report says. To cover gaps, service members often are assigned to jobs for which they lack the requisite training and experience, the report adds.

Moreover, deployment times too often exceed the 120-days-per-year maximum set by the services, the report says. To make ends meet, those units that do deploy frequently scavenge parts and people from other units, creating "troughs of unreadiness" in the force that are "deeper and of longer duration" than before, the report adds.

Particularly troubling, the report says, is an evident drop in the amount and quality of training, caused by funding shortages and reduced opportunities to train because units are on deployment or covering for units that are.

"The widespread belief of trainers interviewed at the services' premier high-intensity training sites—the National Training Center at Fort Irwin, the Marine Corps' Air Ground Combat Center at Twentynine Palms and the Air Force's Air Warfare Center at Nellis Air Force Base—is that units are arriving less prepared than they used to and are not as proficient when they complete their training as in the past," the report states.

Although military retention rates remain relatively high, the report says these official statistics cloud the fact that the "best of the best" are getting out. According to an internal Army survey quoted in the report: "Job satisfaction is down and about two-thirds of leaders say organizations are working longer hours . . . The force is tired and concerned about the uncertainty of the future . . . Morale is low at both the individual and unit level."

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan [Mr. BONIOR].

Mr. BONIOR. Mr. Speaker, I thank my colleague from New York for yielding me the time.

Once again today Democrats are standing up for campaign finance reform. We will vote in a short while to defeat the previous question on this rule in order to bring up before this body campaign finance reform so we can have it on the floor of the House by Memorial Day. This will be the third vote we are taking on campaign finance reform in this Congress. There was a vote on opening day of the Congress and another on March 13.

I might add that not a single Member from the other side of the aisle has voted for reform yet. But I am hopeful that through this process of raising this issue on the previous question on rules, we will slowly see Members of the other side decide that we need to have a public debate on this most important issue.

Our way of financing political campaigns in this country today is broken. I think the American people know it. Although some have proposed spending even more on campaigns, the American people, I think, just think the opposite. More than 9 out of 10 believe too much money is being spent on political campaigns.



So we need to fix the system and we need to limit the amount of money in these campaigns. We need to stop the negative advertising. We need to get Americans voting again and believing in the system. The vote today is not about a particular bill. There are many different vehicles out there, some of them very good, or a solution. It is about setting up a process to debate campaign finance reform, to make sure it moves beyond the closed room, the back rooms, the locked doors, and out into the open where the American people can understand and learn and participate in one of the great debates that I think we are engaged in this year.

What we are really talking about is reinvigorating the political process. Right now Americans do not think their vote counts. They are sick and tired of what they see, what they see going on, and they feel a powerlessness to do anything about it.

We need to change that. We need to make democracy in this country mean something once again, and we need to give people hope that they can make a difference, that they can be a player, that they can feel that their Government is working for them. There are a lot of good ideas out there, and we are simply asking a chance to debate them.

For 4 months we have done nothing in this Congress. Oh, we have named a few buildings after people. We have commended the Nicaraguans on their election. We have expressed our respect for the Ten Commandments. But we have done nothing to improve the lives of American working families on health care, on education, on jobs. Real campaign finance reform will make a difference. It is another one of the issues that the public wants us to address.

So I urge my colleagues, Mr. Speaker, to vote no on the previous question in order to bring up campaign finance reform to the floor before the Memorial Day recess.

Mr. DREIER. Mr. Speaker, I yield myself such time as I may consume to simply say that it is very interesting to listen to the hue and cry over campaign finance reform that comes from my friends on the other side of the aisle. I stated that I have a measure that I am going to be introducing in the not too distant future which would actually encourage greater voter participation, an opportunity for them to participate with campaign contributions.

The thing that troubles me, Mr. Speaker, is the fact that we are in a position today where we do not have compliance with existing law, and we as Republicans are very proud to stand up for enforcement of the laws which have been flagrantly violated based on reports that we have had in the media. That is what we as Republicans are doing from this side of the aisle. I hope

very much that we will be able to get to the bottom of these tremendous abuses of present campaign finance law.

Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentlewoman from Connecticut [Ms. DELAURO].

Ms. DELAURO. Mr. Speaker, let me just say that I intend to support veterans preferences. Four hundred and thirty-five Members of this body, all of the Members who are here today, are going to vote for this bill. That is not the issue. This is a noncontroversial item. It is under a suspension calendar. We will vote without any bit of controversy. Suspensions are usually noncontroversial. They are considered on Mondays and Tuesdays in the House, so in fact we could have considered this vote yesterday when we adjourned at something like 10 after 5 or 5:15. We could have done this yesterday.

We are going to try to defeat the previous question this morning in an effort to be able to use our time in order to talk about campaign finance reform legislation so that we can vote on what is a pressing issue before the Memorial Day district work period.

It is hard to open a paper these days without reading about the lack of accomplishments of this Congress, in fact the do-nothing Congress. But the worst of it is that the Congress is doing nothing when the issue of campaign finance reform cries out for action and early action at that.

□ 1200

Yes, let us continue on with the investigations, but what we in fact do know is that the system is broken and that it needs to be fixed. Let us have that discussion.

The 1996 elections broke all records for campaign spending: \$2.7 billion. The Washington Post shows that 8 in 10 Americans agree that money has, quote, too much influence on who wins elections. The amount of money in politics disenfranchises the American people and tells citizens, ordinary citizens in this country, that their votes are not as important as fundraising dollars.

The record amounts spent in 1996 are a powerful argument for meaningful limits on campaign spending. We need less money in politics, not more. And if we are to achieve limits on campaign spending, we need to act immediately, because every delay takes us closer to the next election.

I doubt the American people want more money spent the way that the Speaker would. Let us have the debate on campaign finance reform, and let us just stop fooling around.

Ms. SLAUGHTER. Mr. Speaker, I yield 2½ minutes to the gentleman from Georgia [Mr. LEWIS].

Mr. LEWIS of Georgia. Mr. Speaker, I rise to call upon my colleagues to de-

feat the previous question and to bring an amendment to this floor allowing a debate on the important issue of campaign finance reform.

Every person in America realizes the importance and necessity to address our broken system of financing the election, and yet my colleagues on the other side, the Republican majority, are planning no hearings on this issue, no debate on this floor, and no votes to change the way elections are paid for. It is a shame, and it is a disgrace.

There is too much money in the political process. We need to recognize that there is too much money in the political process. Members of Congress are forced to spend too much time chasing campaign funds. Special interests and the wealthy interests have too much influence. These are the problems that need to be addressed.

Mr. Speaker, there is a fundamental difference between Democrats and Republicans on campaign finance. Democrats believe there is too much money in the political process. Republicans believe there is too little. Let us have a debate on the floor of the House of Representatives.

Let the American people decide whether we need more or less money in politics. We should put our votes on the board, let the American people see, rather than bring us back to Washington week after week to vote on do-nothing legislation.

Let us address the real problems confronting our Nation. Let us fix our broken campaign finance laws. Defeat the previous question and let the real and serious debate begin.

Maybe, just maybe, we should adjourn or recess the Congress and go home for the next few days and visit our citizens, the people that sent us here, like I did last week. Why come back here and vote on do-nothing legislation? Now is the time to act. Defeat the previous question.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. DOGGETT].

Mr. DOGGETT. Mr. Speaker, at the outset of this Congress I was 1 of more than 100 Members of this House to ask that action occur during the first 100 days of this Congress on the issue of campaign finance reform.

Well, that period will expire next week. And what has happened during those first 100 days on the issue of campaign finance reform? The same thing that has happened on the hopes of reform for more health insurance for children across this country, the same thing that has happened with regard to the aspirations and needs of young people across this country to get access to a college education.

What has happened on campaign finance reform during the first 100 days of this Congress is zero, zip, nada. Not a thing has occurred on that or most of the other important issues that face America today.

Now, my distinguished colleague from California [Mr. DREIER], says they have another approach. When it comes to campaign finance, they do not want to legislate right now, they want to investigate. Well, I agree that some investigations are in order. The only problem with Mr. DREIER's approach is, they want to investigate everybody except this House. They want to look at somebody else's house down the street.

They do not want to look here at the issues of the peddling of campaign finance checks that have occurred on this floor and issues that have arisen in connection with the raising of hundreds of millions of dollars in funding this Congress, of special interest money that dominates the elections in this Congress on both sides of the aisle. No; they want to investigate someone else, get indignant, get upset, make some speeches, but not do a thing about it.

This rule sets priorities, and I would say our veterans, who will have 435 votes in favor of their bill in a few minutes, have as big a stake as anybody else in seeing this system cleaned up.

It is time for this Congress to act. We waited in the last Gingrich Congress 1½ years out of that 2 years before we ever even got a chance to vote on the issue of campaign finance reform. That is why we are going to keep raising this issue day after day, because we cannot wait another 1½ years for action, and at that time it was some convoluted position that even the Republicans could not support. It is time for action and action by voting down this rule.

Mr. DREIER. Mr. Speaker, I yield myself such time as I may consume to say that it is very interesting to listen to this debate as it proceeds on campaign finance reform. We are actually offering a rule here that would allow us to consider suspensions today and tomorrow to deal with veterans, American Samoa, assisted suicide, and yet the campaign debate here, the debate has proceeded on the issue of campaign finance reform.

Since that has happened, I want to take a moment before I yield to my friend from Texas, the majority whip, to talk about legislation I mentioned during the 1-minute period that I hope we will be able to have considered here. If we could get the President on board on it, it would be very helpful, and, frankly, it is much more important to the people whom I am honored to represent here and others from around the country than campaign finance reform.

It happens to be the single most important family tax cut that we could offer, and that is a reduction of the top rate on capital gains from 28 percent to 14 percent. As of right now, we have 118 cosponsors. Democrats and Republicans have joined, cosponsoring this.

I call it the most important family tax cut because it clearly will increase

the take-home wages of working Americans, on average, by \$1,500. Unlike many of the family tax cuts, which are temporary, some of those that the President has proposed, this capital gains tax rate reduction would be permanent, creating that boost for working Americans. I hope very much that we are going to be able to proceed with that measure, which also is critically important to our quest of a balanced budget.

We want to bring about a reduction in the national debt and get us on that glidepath toward a balanced budget. We know that unleashing the 7 to 8 trillion dollars that is locked in today, people who do not want to sell their family farm, their small business, their home or other appreciated asset because of the fact that that capital gains tax rate is so high, that capital would be unleashed, if we could reduce that rate from 28 to 14 percent, and would go a long way toward increasing the flow of revenues to the Treasury, as it has done every single time throughout this century.

Every shred of empirical evidence we have is that it will increase the flow of revenues to the Treasury, going all the way back to President Warren G. Harding, who, in 1921, under his Treasury Secretary, Andrew Mellon, cut the top rate on capital. The flow of revenues to the Treasury increased.

In 1961, when President Kennedy did it, the same thing happened; and then when Ronald Reagan did it with the Economic Recovery Tax Act of 1981, we saw that increase.

Unfortunately, when we increase the tax on capital, we decrease the flow of revenues to the Treasury. In 1978, when the capital gains tax rate was reduced, we saw, from 1979 to 1987, a 500-percent increase in the flow of revenues to the Treasury from \$9 billion to \$50 billion, and it began to drop after the 1986 Tax Reform Act went in place.

So it seems to me we have a very important issue that I hope we can address here.

Mr. Speaker, I yield such time as he may consume to the gentleman from Texas [Mr. DELAY], my dear friend.

Mr. DELAY. Mr. Speaker, I thank the gentleman for yielding me this time. And he is so right about the real important things that we intend to do in this 105th Congress, rather than play these games that are being played around here.

It is amazing to me, the lack of shame that is expressed on this floor, that the minority party, that used to be the grand majority party for so many years, particularly since the last major campaign finance reform was passed back in the late 1970's, I think 1976 or so, had the majority of this House and the majority of the Senate and yet did not bring any bills down. In fact, if they just passed this bill, they could probably bring their campaign fi-

nance reform to the floor under suspension.

Oh, I forgot; they do not have a campaign finance reform bill. They are crying for campaign finance reform to come to the floor, but they do not even have a bill.

What is happening here is something that is really serious, because we want to hold hearings to look into what is serious. We have the potential of having had in the last campaign our national security compromised by foreign money being pushed into this country and trying to manipulate our campaigns, and they are trying to change the subject so that the American people will not focus on what is really happening and what really happened in the campaign last year by this President and by the Democratic National Committee. That is what is going on here.

I just came back from 2 weeks in my district and holding town meetings and meeting with my people. I did not travel anywhere. I worked my district during the district work period, and I had one person ask one question on campaign finance reform.

Now, the American people out there know exactly what is going on here on the floor of the House, and, frankly, they are ashamed as to what is going on on the floor of this House, trying to cover up what could be potentially a national security problem brought on by breaking the campaign finance laws that were reformed by this majority, by the majority Democrat party back in the 1970's, and trying to cover it up by talking about campaign finance reform here, and they do not even have their own bill.

Mr. DREIER. Mr. Speaker, will the gentleman yield?

Mr. DELAY. I am delighted to yield to the distinguished gentleman from California.

Mr. DREIER. I thank my friend.

The gentleman makes a very important point, that being, we are simply calling for compliance with the present law that exists. And those on the other side of the aisle are saying, well, let us change the law, let us reform campaign finances, and that will address this hue and cry that we are hearing out there from the American people; all they want us to do is, the American people want us to comply with the laws that exist today.

Mr. DELAY. Mr. Speaker, reclaiming my time, I would also say that they want us to do it before we look at whether laws have actually been broken. And we all know the reason for that; it is strictly politics, to cover up the fact that the national security of this country may have been compromised.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. (Mr. GUTKNECHT). The Chair would remind all Members the matter before the House is House Resolution Number 107.



Ms. SLAUGHTER. Mr. Speaker, I yield myself such time as I may consume to just comment on the majority whip's remarks about campaign finance reform and lack of action on the Democrat majority's part when we were in charge, and remind him that we passed it twice out of the House.

The first time, it was passed again through the Senate, vetoed by a Republican President; the second time, it was filibustered to death in the Senate. And, by the way, I think I did mention, I do have a campaign finance reform bill.

Mr. Speaker, I yield 4 minutes to the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Speaker, not only will the Republicans not bring campaign finance reform to the floor, but their rhetoric today tells us how far away they are from what is happening in America.

They want to suggest that the existing system is just fine, that it is a transgression simply of the White House that we should only be concerned about. And we should be very concerned about those.

They would argue that it is OK, as they did under the existing system, to have Haley Barbour say that he can set up meetings for anybody who gives \$100,000 to any Republican chairman of the House, and he has never been turned down.

They would say it is fine to have a person who is accused of shaking down a lobbyist and threatening them that if they do not contribute to him, they will never have access to his office again. Under a current FBI investigation, it is just fine to have him investigate the President.

□ 1215

They would suggest that it is fine that a committee Chair, Republican committee Chair, get \$200,000 from the very people he meets with about matters before his committee and the money comes right after the meetings. That is all apparently allowed under the existing system, and they do not think it should be investigated. They do not think it should be investigated; that there is nothing wrong with the system; that at the Republican gala, top donors, if you give \$250,000 you can get to a lunch with the Republican majority leader, the Speaker, the whip, and others and committee Chairs. If you give \$10,000, you can have a meeting.

You know what you get, ladies and gentlemen, you get seats in the gallery. You the public get seats in the gallery. You know what big donors get? They get access to leadership power and decisions. That is under the existing system, and that is why we are saying it has to be reformed. Two years ago we watched as top lobbyists sat in the majority whip's office and drafted legislation to the Clean Water Act.

Mr. DELAY. Mr. Speaker, I demand that the gentleman's words be taken down.

The SPEAKER pro tempore. (Mr. GUTKNECHT). The gentleman will suspend.

The gentleman from California will be seated.

The SPEAKER pro tempore. The Clerk will report the words.

The Clerk read as follows:

If you give \$10,000, you can have a meeting. You know what you get, ladies and gentlemen? You get seats in the gallery. You the public get seats in the gallery. You know what big donors get? They get access to leadership power and decisions. That is under the existing system, and that is why we are saying it has to be reformed. Two years ago we watched as top lobbyists sat in the majority whip's office and drafted legislation to the Clean Water Act.

The SPEAKER pro tempore. Does the gentleman from Texas seek recognition?

Mr. DELAY. No, Mr. Speaker. I ask that the Chair rule.

The SPEAKER pro tempore. The Chair is prepared to rule.

In the opinion of the Chair, there was no direct reference to a Member specifically performing a quid pro quo. Therefore, the Chair will rule that the words are not unparliamentary.

The Chair would, however, admonish all Members that it is a violation of the House rules to address the people in the galleries. It is also a violation both of the rule and the spirit of the rules to challenge or question other Members' personal motives.

#### PARLIAMENTARY INQUIRY

Mr. DELAY. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. DELAY. Mr. Speaker, if I understand your ruling correctly, the gentleman from California has made statements about another Member of this House that are incorrect. Is it the ruling of the Chair that a Member can make incorrect statements about another Member on the floor and not have his words taken down?

The SPEAKER pro tempore. The Chair is not in a position to rule on the truthfulness or veracity of a statement made by a Member on the floor of the House. That is a subject for debate.

Mr. DELAY. I thank the Chair.

The SPEAKER pro tempore. The gentleman from California may proceed in order.

Mr. MILLER of California. Mr. Speaker, the point is this. The point is that the American public is treated on a daily basis to account after account after account where money buys you privilege in the House of Representatives among the leadership and it buys you access. That has got to stop because it simply is not fair to the American people. Money is distorting how decisions are being made in this House, the people's House. Money is distorting

outcomes in the people's House. Money is distorting the schedule in the people's House. That has got to stop.

And that is what is happening under the existing system. That is happening under the existing system, and that is why we objected yesterday so we could get time today to speak out against the status quo. The status quo is corroding this institution, it is corroding the decisionmaking process, it is corroding the outcome. The people of this country deserve better. That is why we need campaign finance reform. We need it for this institution. We need it for the integrity of the Democratic institution, the House of Representatives, the U.S. Senate. We need it to bring back the faith of the people we represent.

This is not about our campaigns. This is not about whether we get elected or not elected. This is about whether or not it is on the level in this place, whether or not every person has the right to the same access; not access based upon merit, not on the size of your wallet, not on the size of your contribution. That is what this argument is over.

But they will not let us have this debate on the floor of the House of Representatives. We have to go through parliamentary maneuver after parliamentary maneuver to have this said. Why? Because it is very embarrassing. It is very embarrassing on the bipartisan basis. But we have got to clear the air. We owe it to the American public. We have got to clear the air at that end of Pennsylvania Avenue and we have got to clear the air at this end of Pennsylvania Avenue. We owe the public no less.

Mr. DREIER. Mr. Speaker, I yield 1 minute to the gentleman from Sugarland, TX [Mr. DELAY].

Mr. DELAY. I appreciate the gentleman yielding me this time.

Mr. Speaker, the gentleman from California has repeatedly brought up this incident, including in the media, and has been quoted in the media about an incident where there were lobbyists in the majority whip's office writing legislation.

I will be glad to yield to the gentleman to give me the names in the RECORD of those lobbyists that were in my office writing legislation, and the incident and the time and the date. The least he could do when he makes a statement that is totally incorrect, that he could provide that information to the House, or at least if that is the case and it violates the rules of the House or violates a law, would bring charges against this Member.

Mr. Speaker, I am glad to yield to the gentleman from California.

□ 1230

Mr. MILLER of California. Mr. Speaker, will the gentleman yield?

Mr. DELAY. I yield to the gentleman from California.

Mr. MILLER of California. Mr. Speaker, as the gentleman knows, unfortunately I can either make the contribution or I am a lobbyist. I was not privy to the meeting, but the meeting was widely reported, and I am not seeing the denial of the meeting taking place.

Mr. DELAY. Mr. Speaker, reclaiming my time, obviously the gentleman cannot substantiate his charges, obviously he cannot name names.

Mr. MILLER of California. Does the gentleman deny that these meetings took place?

Mr. DELAY. This gentleman, Mr. Speaker, denies categorically that it ever happened, that there are lobbyists in the majority whip's office writing legislation, unlike in the gentleman's office where environmental groups write legislation.

Mr. MILLER of California. Mr. Speaker, the gentleman wanted to take down words for inaccurate statements. I guess we can understand why the ruling does not exist right now.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Maine [Mr. ALLEN].

Mr. ALLEN. Mr. Speaker, bring this down to a different level.

I rise to urge Members of this body to vote in opposition to the motion for the previous question and I do so because I want to raise the issue of campaign finance reform. I think it is time for us to deal with it, and I want to mention a couple of points.

First, according to a recent poll, 85 percent of Americans think that there is a crisis or a problem with the way candidates raise and spend campaign funds, and according to another recent poll, 85 percent of the people think that special interest groups have more influence than voters.

Now, when I was back in my district over the last 2 weeks, people did raise the issue of campaign finance reform, and do my colleagues know what a couple of them said? They said, "Why are you spending millions of dollars on investigations and doing nothing to help us? Why are you spending millions of dollars on investigations and doing nothing to help us?"

I believe that from my experience if we cannot find people who care about campaign finance reform we are not looking very hard. It may not deal with their jobs, it may not deal with their education, it may not be Social Security or Medicare. They are things that matter to their personal lives, but they care about our democracy and they care about this system of campaign funding. It is important because the relationship between those who elect us and those who sit in elective offices is critically important. It is a matter of trust. If our citizens continue to believe, as they do now, that money has more influence than votes, then we are diminished, they are di-

minished, and this democracy is diminished.

There is too much money in politics, and we need to do something about it.

I am a cochair of a freshman task force, a bipartisan group, six Republicans and six Democrats, and we want to work on this issue through this Congress, and what I ask all the Members here is to make sure that the year 2000 is not a repeat of the year 1996 and we deal with campaign finance reform now.

Mr. DREIER. I reserve the balance of my time, Mr. Speaker.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey [Mr. PALLONE].

Mr. PALLONE. Mr. Speaker, I just wanted to follow up on my colleagues from Maine and from California, particularly the gentleman from California, who said that we have an obligation to bring up the issue of campaign finance reform, and the main reason for that, I believe, is what I experienced in the last 2 weeks in my district during our district work period.

Again, as the gentleman from Maine said, so many of my constituents would come up to me and say, "What is going on in Washington? The Congress isn't doing anything. The only thing that they're doing is doing investigations of campaigns and frankly we're not interested. We don't want the money, the millions of dollars that is going to be spent on this. Sure, you can do a little investigation if you want, you can look into it, but the main thing is you have to do something about the issue of too much money in campaigns. You've got to address it."

And believe me, the American people feel very strongly that this is not happening right now, and the fault lies squarely with the Republican leadership of this House of Representatives. The Speaker, the Speaker has repeatedly said on many occasions there is not enough money in campaigns. Just the opposite is certainly true, and we have been here, many of us on the Democratic side of the aisle, many times over the last 3 or 4 months, including myself, saying we want this issue brought up, we are not in the majority, we cannot control the agenda.

That is why we have to go to the floor in these procedural ways and ask to defeat the previous question because the Republican leadership refuses to bring it up, and do not tell me that when the Democrats were in the majority that we did not bring it up. In fact we did. It passed. I remember. I voted for it on the House floor here. But it went over to the other body, and the Senators, the Republican Senators on the other side filibustered and killed it.

So there is no question the Democrats are in favor of campaign finance reform, Democrats are in favor of debate, Democrats want a bill to pass. We have said that we would like to have it

happen by Memorial Day; I think the President mentioned July 4. Certainly the sooner the better, but so far no hearings on the other side, the Republicans. The Republicans have not had a hearing, they do not bring it up, they have no bill, they have no plan, they do not want to talk about it, which is why they get mad when we do. But I am telling my colleagues right now that the public will not stand for it. They want action.

Mr. DREIER. Mr. Speaker, I yield 2 minutes to my friend, the gentleman from Georgia [Mr. LINDER].

Mr. LINDER. Mr. Speaker, I think it is fascinating to watch the hue and cry for campaign finance reform from the Democrats when they controlled the House, the Senate, and the White House 4 years ago and chose not to bring it up.

The fact of the matter is we have two kinds of campaign financing systems in America; one is congressional. We could only take \$1,000 from an individual or \$5,000 from a PAC, we must report everything we receive and everything we spend, and that system did not break down, and no one is accusing it of having broken down.

There is another system for Presidential campaigns. If they accept \$75 million of taxpayer money, they may not spend a penny more. That is precisely what Bob Dole did; that is not what President Clinton did. He accepted the \$75 million, and he spent \$40 million more than that. He admitted to doing that, but he said it was necessary to break the law because "we would have lost."

Now, I do not want to see America pay for the congressional races, with ceilings on them like they did for the White House, and have that system so easily abused as it was by President Clinton. Let us move on with this bill which allows bringing up the bill for veterans' benefits, let us pass this rule and get on with the business of the House.

Ms. SLAUGHTER. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Speaker, I ask unanimous consent to place into the RECORD an article from the Washington Post, March 12, 1995: "Forging an Alliance of Deregulation, Representative DELAY Makes Companies Full Partners in the Movement."

The SPEAKER pro tempore (Mr. GUTKNECHT). Is there objection to the request of the gentleman from California?

Mr. DELAY. I object, Mr. Speaker.

The SPEAKER pro tempore. Objection is heard.

Ms. SLAUGHTER. Mr. Speaker, I yield 20 seconds to the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Speaker, I appreciate the objection.



The point is on March 12, 1995, the Washington Post sets forth the series of meetings taking place wherein lobbyists and campaign contributors are provided a full partnership, are provided a full partnership, and I will yield in 1 second, in the drafting of legislation that was dealing at that time with deregulation.

Mr. DELAY. Mr. Speaker, will the gentleman yield?

The SPEAKER pro tempore. The time of the gentleman from California (Mr. MILLER) has expired.

Mr. DELAY. As usual, the gentleman's time is always expiring while he is trying to accuse another Member of the House.

Mr. DREIER. Mr. Speaker, I yield 1 minute to the gentleman from Texas [Mr. DELAY].

Mr. DELAY. I just got to say, Mr. Speaker, in that article there is no—there are no names, there are no time periods that this meeting happened, there is absolutely no—regular order, Mr. Speaker. I know the gentleman does not like the rules—

The SPEAKER pro tempore. The gentleman from Wisconsin is out of order.

Mr. DELAY. I know the gentleman does not like to follow the rules, Mr. Speaker, but I am asking for regular order.

The SPEAKER pro tempore. The gentleman from Texas (Mr. DELAY) controls the time.

Mr. DELAY. Mr. Speaker, I appreciate the courtesy from the gentleman.

Mr. OBEY. Mr. Speaker, I prefer truth over courtesy any time.

Mr. DELAY. Regular order, Mr. Speaker, or have the gentlemen removed from the floor.

The SPEAKER pro tempore. We will have regular order.

The gentleman from Texas is recognized.

Mr. DELAY. How much time do I have remaining, Mr. Speaker?

The SPEAKER pro tempore. The gentleman has 45 seconds remaining.

Mr. DELAY. Mr. Speaker, it seems that it is OK to take something out of the newspaper that is not true and bring it down to the floor of the House and attack other Members of this House with something that is not true, written by a reporter in the Washington Post, and using it as if it were true, and I think it is really, Mr. Speaker—it shows the lack of shame in this House about what is going on in this House when we are trying to pass a rule to bring bills up, consensual bills up, under suspension when the minority does not even have a campaign finance reform bill that they could bring to the floor even if we gave them the time to bring it to the floor.

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Speaker, I was in my office when I saw the incident that just

occurred on the House floor involving the meeting that was discussed by the gentleman from California which he indicated had taken place in the majority whip's office. The majority whip has said that the newspaper article to which the gentleman from California referred contained no names of lobbyists. I have in my hand, as the Senator from my own State used to say, a copy of the article in question, and if my colleagues examine the text, there are the names of seven lobbyists listed.

Mr. DELAY. Mr. Speaker, would the gentleman yield and read those names?

Mr. OBEY. I would be happy to allow the gentleman to read the names. I am not going to mention the name of any person on the floor who is not here to defend himself.

Mr. DELAY. Mr. Speaker, will the gentleman yield?

Mr. OBEY. Mr. Speaker, I will not yield further, not at this time. The gentleman can come here and read the names.

I would ask unanimous consent again to be allowed to place this in the RECORD so that the names can be in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

Mr. DELAY. I object.

Mr. OBEY. I thought the gentleman would.

The SPEAKER pro tempore. Objection is heard.

Mr. OBEY. I thought the gentleman would.

I find it interesting that the truth is being suppressed on the floor of the House in the name of the rules of the House.

Mr. DREIER. Mr. Speaker, once again I yield 1 minute to my friend, the gentleman from Sugarland, TX [Mr. DELAY], the majority whip.

Mr. DELAY. Mr. Speaker, I thank the gentleman for yielding this time to me, and since the gentleman from Wisconsin would not yield to me, especially when I asked him to read the names, he does not want to read the names because he will not enter into a dialog with me about the fact that one newspaper article misrepresented what happens in my office and that the fact that there has never been lobbyists sitting in my office or any office of the leadership sitting down writing bills.

We all know that the legislative counsel does that, and we all know that we talk to people about the bills, and he will not read the names. Read the names so that I may respond to the incident. But they do not want to read the names because once again they are trying to smear another Member of this House.

Mr. Speaker, I think we just consider the source of the issue, and if the gentleman does not yield to me, I am not going to yield to him.

Mr. OBEY. I yielded to the gentleman.

□ 1345

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would remind all Members the matter before the House is House Resolution No. 107.

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. SCHUMER].

Mr. SCHUMER. Mr. Speaker, I thank the gentlewoman for yielding this time to me, and as my colleagues know, the reason we have had such a tizzy in the last half hour is very simple. Everybody in this Chamber knows the system is rotten to the core. They may quibble about a detail, this or that.

Mr. Speaker, regular order.

□ 1245

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. GUTKNECHT). The Chair would require all Members to be respectful of each other anywhere on the floor. Hershey was only 3 weeks ago.

The gentleman from New York [Mr. SCHUMER] is recognized. The gentleman has 32 seconds remaining.

Mr. SCHUMER. Mr. Speaker, I would simply say that I have seen these articles, they have names in them. One of the articles refers to a lobbyist being the chief draftsman of the bill.

Now, the gentleman from Texas [Mr. DELAY] says it is not true. The Washington Post reporter obviously thought it was true.

There is one point to all of this. The reason that the gentleman from Texas is so inflamed about this is because we all know the system is rotten to the core, and we deserve a lot of blame on this side that when we had the majority, we did not reform it.

Mr. DREIER. Mr. Speaker, I yield 2 minutes to my friend, the gentleman from Glenwood Springs, CO [Mr. MCINNIS], a very able member of the Committee on Rules, as we continue this debate on this very important rule that will allow us to debate suspensions today and tomorrow.

Mr. MCINNIS. Mr. Speaker, I thank the gentleman from California for yielding me this time.

Let me say I am not sure what offends me most, the lack of civility that we have just seen in the last few minutes or a colleague of mine standing up in front of the American people and saying that this system is rotten to the core. Come on, wake up. This system is not rotten to the core.

Sure, we have a few bad apples. I would ask the gentleman to show me 535 people anywhere in this country where we do not have some of those individuals that misbehave. But frankly, as a whole, most of the people within this Congress are hardworking individuals on both sides of the aisle. We have good people on both sides of the aisle. Both sides of the aisle have individuals who work very hard.

Take a look at the current system that we have on campaigns. Do not listen to the rhetoric that we have heard. The problems that we have seen in the last year, it is not the system. The system is not the problem. It is people who are violating the system. It is people who are violating the law.

Name one administration that my colleague can think of in the history of this country that discloses, gives top secret information to the national political committee. Just take a look at incident after incident after incident.

The system does not allow that. It is against the law. We ought to investigate that and we ought to have repercussions for disobeying the law. But it is wrong because somebody goes out and violates a law, it is wrong because somebody goes out and violates the intent of the law, it is wrong because there are a few bad apples in the system that the gentleman from New York [Mr. SCHUMER] comes out and says that this system is rotten to the core.

Let me tell my colleagues, we live in the greatest country in the world. We have a system that is the best system in the world. It allows this kind of debate on this House floor. We can stand up here and talk about any issue that we want without facing repercussions from the military, for example, as we see in other countries.

It is wrong for any one of us in these chambers to stand up and speak in such derogatory terms as to paint a blanket paintbrush over every individual in here that some system is rotten to the core. I apologize for the statement on behalf of the individual that made it.

Ms. SLAUGHTER. Mr. Speaker, I yield 30 seconds to the gentleman from New York [Mr. SCHUMER].

Mr. SCHUMER. Mr. Speaker, I do not apologize to anyone for saying that the system of campaign finance in this country is rotten to the core.

There are good people here, and even they are turned in a bad direction by the way we finance campaigns, and the sooner the gentleman from Colorado and every Member of this body, Democrat and Republican, face that, the sooner we will be able to clean it up and restore people's faith.

Mr. Speaker, I love this country as much as the gentleman from Colorado [Mr. MCINNIS] does. I ask my colleagues to go ask the American people. The system of the way we finance campaigns is rotten to the core.

Mr. DREIER. Mr. Speaker, I yield 15 seconds to my friend from Colorado [Mr. MCINNIS].

Mr. MCINNIS. Mr. Speaker, a very simple question to the gentleman: How much money do you have in your bank account?

Ms. SLAUGHTER. Mr. Speaker, I yield 30 seconds to the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Speaker, the gentleman from Texas [Mr. DELAY] has asked why I do not want to read the names of the lobbyists in the article. It is very simple. They are not Members of the House and they cannot defend themselves. He can, and he ought to. I would suggest that if he wants to discuss these names, I am happy to discuss them with him publicly or privately any time.

Mr. DREIER. Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentleman from Texas [Mr. DOGGETT].

Mr. DOGGETT. Mr. Speaker, this has been perhaps the most revealing debate of this entire session of Congress.

I might say, to use an old phrase, when push comes to shove, we get down to the heart of a critical issue to the American people and we see why it is that our Republican colleagues are so fearful of giving us even 10 minutes to debate this issue on the floor of the U.S. Congress; why they are so hypersensitive when the issue is not influence peddling down the street, but influence peddling right here in this building: Peddling out checks from tobacco companies; having meetings, not just one isolated meeting that has been discussed here. At the committee that I served on last year, they turned over the taxpayer financed computers to the lobbyists to write the legislation, and then they had them sit there and whisper in the ear of the committee counsel how to answer the questions about the legislation that the lobbyists had written.

It is that connection between special interest campaign finance and between the writing of legislation to benefit those same special interests that ought to be devoted a week, not an hour, a week, on the floor to debate how to fix it, and they are afraid to do it.

Mr. DREIER. Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I urge a "no" vote on the previous question. If the previous question is defeated, I shall offer an amendment which will require that comprehensive campaign finance reform legislation be considered by this House by the end of the month.

Mr. Speaker, I ask unanimous consent to include the text of the proposed amendment at this point in the RECORD along with a brief explanation of what the vote on the previous question really means and to include extraneous material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The material referred to is as follows:

At the end of the resolution add the following new section:

Section 2. No later than May 31, 1997, the House shall consider comprehensive cam-

paign finance reform legislation under an open amendment process.

Mr. Speaker, this vote on whether or not to order the previous question is not merely a procedural vote. It is a vote against the Republican majority's failure to develop and carry out an agenda that is meaningful to the American people. It is one of the few tools we have as the minority to offer an alternative plan for what the House should spend its time debating. We believe that should be comprehensive campaign finance reform. If the previous question is defeated, we will have the opportunity to amend the rule to require consideration of a campaign finance bill by the end of next month. The previous question is the way we can, by vote of the House, tell this Republican leadership to do what the American people really sent us here to do.

I urge my colleagues to vote against the previous question. Vote for comprehensive campaign reform.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's "Precedents of the House of Representatives," (VI, 308-311) describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House is being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Republican majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership "Manual on the Legislative Process in the United States House of Representatives," (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule . . . When the motion for the previous question is defeated,



control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.

Deschler's "Procedure in the U.S. House of Representatives," the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

The vote on the previous question on a rule does have substantive policy implications. It is the one of the only available tools for those who oppose the Republican majority's agenda to offer an alternative plan.

[From the Washington Post, Mar. 12, 1995]

#### FORGING AN ALLIANCE FOR DEREGULATION

(By Michael Weisskopf and David Maraniss)

REP. DELAY MAKES COMPANIES FULL PARTNERS IN THE MOVEMENT

The day before the Republicans formally took control of Congress, Rep. Tom DeLay strolled to a meeting in the rear conference room of his spacious new leadership suite on the first floor of the Capitol. The dapper Texas Congressman, soon to be sworn in as House majority whip, saw before him a group of lobbyists representing some of the biggest companies in America, assembled on mismatched chairs amid packing boxes, a huge, unplugged copying machine and constantly ringing telephones.

He could not wait to start on what he considered the central mission of his political career: the demise of the modern era of government regulation.

Since his arrival in Washington a decade earlier, DeLay, a former exterminator who had made a living killing fire ants and termites on Houston's wealthy west side, had been seeking to eradicate federal safety and environmental rules that he felt placed excessive burdens on American businesses.

During his rise to power in Congress, he had befriended many industry lobbyists who shared his fervor. Some of them were gathered in his office that January morning at the dawn of the Republican revolution, energized by a sense that their time was finally at hand.

The session inaugurated an unambiguous collaboration of political and commercial interests, certainly not uncommon in Washington but remarkable this time for the ease and eagerness with which these allies combined. Republicans have championed their legislative agenda as an answer to popular dissatisfaction with Congress and the federal government. But the agenda also represents a triumph for business interests, who after years of playing a primarily defensive role in Democratic-controlled Congresses now find themselves a full partner of the Republican leadership in shaping congressional priorities.

The campaign launched in DeLay's office that day was quick and successful. It resulted last month in a lopsided vote by the House for what once seemed improbable: a 13-month halt to the sorts of government directives that Democrats had viewed as vital

to ensuring a safe and clean society, but that many businesses often considered oppressive and counterproductive. A similar bill is under consideration in the Senate, where its chances of approval are not as certain.

Although several provisions of the "Contract With America" adopted by Republican House candidates last fall take specific aim at rolling back federal regulations, the moratorium was not part of that. In fact, as outlined that day in DeLay's office by Gordon Gooch, an oversized, folksy lobbyist for energy and petrochemical interests who served as the congressman's initial legislative ghost writer, the first draft of the bill called for a limited, 100-day moratorium on rulemaking while the House pushed through the more comprehensive antiregulatory plank in the Contract.

But his fellow lobbyists in the inner circle argued that was too timid, according to participants in the meeting. Over the next few days, several drafts were exchanged by the corporate agents. Each new version sharpened and expanded the moratorium bill, often with the interests of clients in mind—one provision favoring California motor fleets, another protecting industrial consumers of natural gas, and a third keeping alive Union Carbide Corp.'s hopes for altering a Labor Department requirement.

As the measure progressed, the roles of legislator and lobbyist blurred. DeLay and his assistants guided industry supporters in an ad hoc group whose name, Project Relief, sounded more like a Third World humanitarian aid effort than a corporate alliance with a half-million-dollar communications budget. On key amendments, the coalition provided the draftsman. And once the bill and the debate moved to the House floor, lobbyists hovered nearby, tapping out talking points on a laptop computer for delivery to Republican floor leaders.

Many of Project Relief's 350 industry members had spent the past few decades angling for a place of power in Democratic governing circles and had made lavish contributions to Democratic campaigns, often as much out of pragmatism as ideology. But now they were in the position of being courted and consulted by newly empowered Republicans dedicated to cutting government regulation and eager to share the job.

No congressman has been more openly solicitous in that respect than DeLay, the 47-year-old congressional veteran regarded by many lawmakers and lobbyists as the sharpest political dealer among the ruling House triad that includes fellow Texan Richard K. Arney, the majority leader, and Speaker Newt Gingrich of Georgia.

DeLay described his partnership with Project Relief as a model for effective Republican lawmaking, a fair fight against Democratic alliances with labor unions and environmentalists. "Our supporters are no different than theirs," DeLay said of the Democrats. "But somehow they have this Christ-like attitude what they are doing [is] protecting the world when they're tearing it apart." Turning to business lobbyists to draft legislation makes sense, according to DeLay, because "they have the expertise."

But the alliance with business and industry demonstrated in the push for a moratorium is not without peril for Republicans, many GOP strategists acknowledge. The more the new Republican leaders follow business prescriptions for limited government in the months ahead, the greater the risk that they will appear to be serving the corporate elite and lose the populist appeal that they carried with them into power in last November's elections.

William Kristol, a key Republican analyst whose frequent strategy memos help shape the conservative agenda, said the way congressional leaders deal with that apparent conflict could determine their prospects for consolidating congressional power. "If they legislate for special interests," he said, "it's going to be hard to show the Republican Party has fundamentally changed the way business is done in Washington."

#### THE EXTERMINATOR

After graduating from the University of Houston with a biology degree in 1970, Tom DeLay, the son of an oil drilling contractor, found himself managing a pesticide formula company. Four years later he was the owner of Albo Pest Control, a little outfit whose name he hated but kept anyway because a marketing study noted it reminded consumers of a well-known brand of dog food.

By his account, DeLay transformed Albo into "the Cadillac" of Houston exterminators, serving only the finest homes. But his frustrations with government rules increased in tandem with his financial success. He disparaged federal worker safety rules, including one that required his termite men to wear hard hats when they tunneled under houses. And the Environmental Protection Agency's pesticide regulations, he said, "drove me crazy." The agency had banned Mirex, a chemical effective in killing fire ants but at first considered a dangerous carcinogen by federal bureaucrats. By the time they changed their assessment a few years later, it was too late; Mirex makers had gone out of business.

The cost and complexity of regulations, DeLay said, got in the way of profits and drove him into politics. "I found out government was a cost of doing business," he said, "and I better get involved in it."

He arrived in the Texas legislature in 1978 with a nickname that defined his mission: "Mr. DeReg." Seven years later he moved his crusade to Washington as the congressman from Houston's conservative southwest suburbs. He sought to publicize his cause by handing out Red Tape Awards for what he considered the most frivolous regulations.

But it was a lonely, quixotic enterprise, hardly noticed in the Democrat-dominated House, where systematic regulation of industry was seen as necessary to keep the business community from putting profit over the public interest and to guarantee a safe, clean and fair society. The greater public good. Democratic leaders and their allies in labor and environmental groups argued, had been well served by government regulation. Countless highway deaths had been prevented by mandatory safety procedures in cars. Bald eagles were flying because of the ban on DDT. Rivers were saved by federal mandates on sewage.

DeLay nonetheless was gaining notice in the world of commerce. Businessmen would complain about the cost of regulation, which the government says amounts to \$430 billion a year passed along to consumers. They would cite what they thought were silly rules, such as the naming of dishwashing liquid on a list of hazardous materials in the workplace. They pushed for regulatory relief, and they saw DeLay as their point man.

The two-way benefits of that relationship were most evident last year when DeLay ran for Republican whip. He knew the best way to build up chips was to raise campaign funds for other candidates. The large number of open congressional seats and collection of strong Republican challengers offered him an unusual opportunity. He turned to his network of business friends and lobbyists. "I

sometimes overly prevailed on these allies," DeLay said.

In the 1994 elections, he was the second-leading fund-raiser for House Republican candidates, behind only Gingrich. In adding up contributions he had solicited for others, DeLay said, he lost count at about \$2 million. His persuasive powers were evident in the case of the National-American Wholesale Grocers Association PAC, which already had contributed \$120,000 to candidates by the time DeLay addressed the group last September. After listening to his speech on what could be accomplished by a pro-business Congress, they contributed another \$80,000 to Republicans and consulted DeLay, among others, on its distribution.

The chief lobbyist for the grocers, Bruce Gates, would be recruited later by DeLay to chair his antiregulatory Project Relief. Several other business lobbyists played crucial roles in DeLay's 1994 fund-raising and also followed Gates's path into the antiregulatory effort. Among the most active were David Rehr of the National Beer Wholesalers Association, Dan Mattoon of BellSouth Corporation, Robert Rusbuldt of Independent Insurance Agents of America and Elaine Graham of the National Restaurant Association.

At the center of the campaign network was Mildred Webber, a political consultant who had been hired by DeLay to run his race for whip. She stayed in regular contact with both the lobbyists and more than 80 GOP congressional challengers, drafting talking points for the neophyte candidates and calling the lobbyist bank when they needed money. Contributions came in from various business PACs, which Webber bundled together with a good-luck note from DeLay.

"We'd rustle up checks for the guy and make sure Tom got the credit," said Rehr, the beer lobbyist. "So when new members voted for majority whip, they'd say, 'I wouldn't be here if it wasn't for Tom DeLay.'"

For his part, DeLay hosted fundraisers in the districts and brought challengers to Washington for introduction to the PAC community. One event was thrown for David M. McIntosh, an Indiana candidate who ran the regulation-cutting Council on Competitiveness in the Bush administration under fellow Hoosier Dan Quayle. McIntosh won and was named chairman of the House regulatory affairs subcommittee. He hired Webber as staff director.

It was with the lopsided support of such Republican freshmen as McIntosh that DeLay swamped two rivals and became the majority whip of the 104th Congress. Before the vote, he had received final commitments from 52 of the 73 newcomers.

#### THE FREEZE

The idea for Project Relief first surfaced before the November elections that brought Republicans to power in the House for the first time in 40 years. Several weeks after the election, it had grown into one of the most diverse business groups ever formed for specific legislative action. Leaders of the project, at their first post-election meeting, discussed the need for an immediate move to place a moratorium on federal rules. More than 4,000 regulations were due to come out in the coming months, before the Republican House could deal with comprehensive antiregulatory legislation.

DeLay agreed with the business lobbyists that a regulatory "timeout" was needed. He wrote a letter to the Clinton administration Dec. 12 asking for a 100-day freeze on federal rule-making. The request was rejected two

days later by a mid-level official who described the moratorium concept as a "blunderbuss." DeLay then turned to Gooch to write legislation that would do what the administration would not.

At the Jan. 3 meeting in DeLay's office, Paul C. Smith, lobbyist for some of the nation's largest motor fleets, criticized Gooch's draft because it excluded court-imposed regulations. He volunteered to do the next draft and came back with a version that addressed the concerns of his clients. Under court order, the EPA was about to impose an air pollution plan in California that might require some of Smith's clients—United Parcel Service and auto leasing companies—to run vehicles on ultraclean fuels, requiring the replacement of their fleets.

Smith removed the threat with a stroke of his pen, extending the moratorium to cover court deadlines. He also helped Webber add wording in a later amendment that extended the moratorium from eight to 13 months.

Peter Molinaro, a mustachioed lobbyist for Union Carbide, had a different concern: He wanted to make sure the moratorium would not affect new federal rules if their intention was to soften or streamline other federal rules. The Labor Department, for example, was reviewing a proposal to narrow a rule that employers keep records of off-duty injuries to workers. Union Carbide, Molinaro noted in an interview, had been fined \$50,000 for violating that rule and was eager for it to be changed.

For his part, Gooch wanted to make sure that the routine, day-to-day workings of regulatory agencies would not be interrupted by a moratorium. His petrochemical clients rely on the Federal Energy Regulatory Commission to make sure natural gas and oil, used in their production processes, flow consistently and at reasonable rates.

Gooch said he had "no specific mission" other than helping DeLay. "I'm not claiming to be a Boy Scout," he added. "No question I thought what I was doing was in the best interests of my clients."

#### THE WAR ROOM

On the first day of February, 50 Project Relief lobbyists met in a House committee room to map out their vote-getting strategy for the moratorium bill. Their keynote speaker was DeLay, who laid out his basic objective: making it a veto-proof bill by lining up a sufficient number of Democratic co-sponsors. They went to work on it then and there.

Kim McKernan of the National Federation of Independent Business read down a list of 72 House Democrats who had just voted for the GOP balanced budget amendment, rating the likelihood of their joining the antiregulatory effort. The Democrats were placed in Tier One for gettable and Tier Two for questionable.

Every Democrat, according to participants, was assigned to a Project Relief lobbyist, often one who had an angle to play.

The nonprescription drug industry chose legislators with Johnson & Johnson plants in their districts, such as Ralph M. Hall of Texas and Frank Pallone Jr. of New Jersey. David Thompson, a construction industry official whose firm is based in Greenville, S.C., targeted South Carolina congressman John M. Spratt, Jr.

Federal Express, with its Memphis hub, took Tennessee's John S. Tanner. Southwestern Bell Corp., a past campaign contributor to Blanchette Lambert Lincoln of Arkansas, agreed to contact her. Retail farm suppliers picked rural lawmakers, including Charles W. Stenholm of Texas.

As the moratorium bill reached the House floor, the business coalition proved equally potent. Twenty major corporate groups advised lawmakers on the eve of debate Feb. 23 that this was a key vote, one that would be considered in future campaign contributions.

McIntosh, who served as DeLay's deputy for deregulation, assembled a war room in a small office just off the House floor to respond to challenges from Democratic opponents. His rapid response team included Smith, the motor fleet lobbyist, to answer environmental questions; James H. Burnley IV, an airline lobbyist who had served as transportation secretary in the Reagan administration, to advise on transportation rules; and UPS lobbyist Dorothy Strunk, a former director of the Occupational Health and Safety Administration, to tackle workplace issues. Project Relief chairman Gates and lobbyists for small business and trucking companies also participated.

When Republican leaders were caught off guard by a Democratic amendment or alerted to a last-minute problem by one of their allies, Smith would bang out responses on his laptop computer and hand the disk to a McIntosh aide who had them printed and delivered to the House floor.

The final vote for the moratorium was 276 to 146, with 51 Democrats joining DeLay's side. Still 14 votes short of the two-thirds needed to override a veto, the support exceeded the original hopes of Project Relief leaders.

One week later, DeLay appeared before a gathering of a few hundred lobbyists, lawmakers and reporters in the Caucus Room of the Cannon House Office Building to celebrate the House's success in voting to freeze government regulations and, in a pair of companion bills, curtail them. He stood next to a five-foot replica of the Statue of Liberty, wrapped from neck to toe in bright red tape, pulled out a pair of scissors, and jubilantly snipped away.

Standing next to him, brandishing scissors of his own, was the chairman of Project Relief.

Mr. DREIER. Mr. Speaker, I yield myself the balance of my time.

In conclusion, let me remind my colleagues that defeating the previous question is an exercise in futility, because the minority wants to offer an amendment that will be ruled out of order as nongermane to this rule. So the vote is without substance, and in fact we do not have a campaign finance reform bill that has even been introduced that would be offered if this were to be ruled germane.

The previous question vote itself is nothing more than a procedural motion to close debate on this rule and proceed to the very important vote that we will have allowing us to consider the veterans bill, the American Samoan bill, these suspensions. The vote has no substantive or policy implications whatsoever, that being the previous question vote.

Mr. Speaker, at this point I ask unanimous consent to insert in the RECORD an explanation of the previous question issue from our House Committee on Rules.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.



The material referred to is as follows:

**THE PREVIOUS QUESTION VOTE: WHAT IT MEANS**

House Rule XVII ("Previous Question") provides in part that:

There shall be a motion for the previous question, which, being ordered by a majority of the Members voting, if a quorum is present, shall have the effect to cut off all debate and bring the House to a direct vote upon the immediate question or questions on which it has been asked or ordered.

In the case of a special rule or order of business resolution reported from the House Rules Committee, providing for the consideration of a specified legislative measure, the previous question is moved following the one hour of debate allowed for under House Rules.

The vote on the previous question is simply a procedural vote on whether to proceed to an immediate vote on adopting the resolution that sets the ground rules for debate and amendments on the legislation it would make in order. Therefore, the vote on the previous question has no substantive legislative or policy implications whatsoever.

Mr. Speaker, in conclusion I would say that this has been the most interesting debate that we possibly could have had over a measure that will simply allow us to consider two additional days of suspension.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. SLAUGHTER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 5 of rule XV, the Chair announces that he may reduce to not less than 5 minutes the time within which a vote by electronic device, if ordered, may be taken on agreeing to the resolution.

The vote was taken by electronic device, and there were—yeas 213, nays 196, not voting 23, as follows:

(Roll No. 74)

**YEAS—213**

Aderholt	Brady	Collins
Archer	Bryant	Combest
Armey	Bunning	Cook
Bachus	Burr	Cooksey
Baker	Burton	Cox
Barrett (NE)	Buyer	Crane
Bartlett	Callahan	Crapo
Bass	Calvert	Cubin
Bateman	Camp	Cunningham
Bereuter	Campbell	Davis (VA)
Bilbray	Canady	Deal
Bilirakis	Cannon	DeLay
Bliley	Castle	Diaz-Balart
Blunt	Chabot	Dickey
Boehlert	Chenoweth	Dreier
Boehner	Christensen	Duncan
Bonilla	Coble	Dunn
Bono	Coburn	Ehlers

Ehrlich	Knollenberg	Riggs
Emerson	Kolbe	Riley
English	LaHood	Rogan
Ensign	Largent	Rogers
Everett	Latham	Rohrabacher
Ewing	LaTourette	Ros-Lehtinen
Foley	Lazio	Roukema
Forbes	Leach	Royce
Fowler	Lewis (CA)	Salmon
Fox	Lewis (KY)	Sanford
Franks (NJ)	Linder	Saxton
Frelinghuysen	Livingston	Scarborough
Gallely	LoBlundo	Schaefer, Dan
Ganske	Lucas	Schaffer, Bob
Gekas	Manzullo	Sensenbrenner
Gibbons	McCollum	Sessions
Gilchrest	McCrery	Shadegg
Gillmor	McDade	Shaw
Gilman	McHugh	Shays
Goodlatte	McInnis	Shimkus
Goodling	McIntosh	Shuster
Goss	McKeon	Skeen
Graham	Metcalfe	Smith (MI)
Greenwood	Mica	Smith (NJ)
Gutknecht	Miller (FL)	Smith (OR)
Hansen	Mollinari	Smith (TX)
Hastert	Moran (KS)	Smith, Linda
Hastings (WA)	Morella	Snowbarger
Hayworth	Myrick	Solomon
Hefley	Nethercutt	Souder
Herger	Neumann	Spence
Hill	Ney	Stearns
Hilleary	Northup	Stump
Hobson	Norwood	Sununu
Hoekstra	Nussle	Talent
Horn	Oxley	Tauzin
Hostettler	Packard	Taylor (NC)
Houghton	Pappas	Thomas
Hulshof	Parker	Thornberry
Hunter	Paul	Thune
Hutchinson	Paxon	Tiahrt
Hyde	Pease	Upton
Inglis	Peterson (PA)	Walsh
Jenkins	Petri	Wamp
Johnson (CT)	Pickering	Watkins
Johnson, Sam	Pitts	Weldon (FL)
Jones	Pombo	Weldon (PA)
Kasich	Portman	Weller
Kelly	Pryce (OH)	White
Kim	Quinn	Whitfield
King (NY)	Radanovich	Wicker
Kingston	Ramstad	Wolf
Klug	Regula	Young (FL)

**NAYS—196**

Abercrombie	Dicks	Jackson-Lee
Ackerman	Dingell	(TX)
Allen	Dixon	Jefferson
Baessler	Doggett	John
Baldacci	Dooley	Johnson (WI)
Barcia	Doyle	Johnson, E. B.
Barrett (WI)	Edwards	Kanjorski
Bentsen	Engel	Kaptur
Berman	Eshoo	Kennedy (MA)
Berry	Etheridge	Kennedy (RI)
Blagojevich	Evans	Kennelly
Blumenauer	Farr	Kildee
Bonior	Fattah	Kilpatrick
Borski	Fazio	Kind (WI)
Boswell	Flake	Kleczka
Boucher	Foglietta	Klink
Brown (CA)	Ford	Kucinich
Brown (FL)	Frank (MA)	LaFalce
Brown (OH)	Frost	Lampson
Capps	Furse	Lantos
Cardin	Gejdenson	Levin
Clay	Gephardt	Lewis (GA)
Clayton	Gonzalez	Lipinski
Clement	Goode	Lofgren
Clyburn	Gordon	Lowe
Condit	Green	Luther
Conyers	Gutierrez	Maloney (CT)
Costello	Hall (OH)	Maloney (NY)
Coyne	Hall (TX)	Manton
Cramer	Hamilton	Markey
Cummings	Harman	Martinez
Danner	Hastings (FL)	Mascara
Davis (FL)	Hilliard	Matsui
Davis (IL)	Hinchey	McCarthy (MO)
DeFazio	Hinojosa	McDermott
DeGette	Holden	McGovern
DeLaunt	Hooley	McHale
DeLauro	Hoyer	McIntyre
Dellums	Jackson (IL)	McKinney
Deutsch		McNulty

Meehan	Price (NC)	Stokes
Meek	Rahall	Strickland
Menendez	Rangel	Stupak
Millender	Reyes	Tanner
McDonald	Rivers	Tauscher
Miller (CA)	Roemer	Taylor (MS)
Minge	Rothman	Thompson
Mink	Roybal-Allard	Thurman
Moakley	Rush	Tierney
Mollohan	Sabo	Torres
Moran (VA)	Sanchez	Towns
Murtha	Sanders	Trafilant
Nadler	Sandlin	Turner
Neal	Sawyer	Velazquez
Oberstar	Schumer	Vento
Obey	Scott	Visclosky
Oliver	Serrano	Waters
Ortiz	Sherman	Watt (NC)
Owens	Sisisky	Waxman
Pallone	Skaggs	Wexler
Pascarell	Skelton	Weygand
Pastor	Slaughter	Wise
Payne	Smith, Adam	Woolsey
Pelosi	Snyder	Wynn
Pickett	Spratt	Yates
Pomeroy	Stabenow	
Poshard	Stenholm	

**NOT VOTING—23**

Andrews	Chambliss	Peterson (MN)
Ballenger	Doolittle	Porter
Barr	Fawell	Ryun
Barton	Filner	Schiff
Becerra	Granger	Stark
Bishop	Hefner	Watts (OK)
Boyd	Istook	Young (AK)
Carson	McCarthy (NY)	

□ 1315

Ms. RIVERS changed her vote from "yea" to "nay."

So the previous question was ordered. The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. GUTKNECHT). The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

**ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE**

The SPEAKER pro tempore. Pursuant to the provisions of clause 5 of rule I, the Chair announces that he will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 4 of rule XV.

Such rollcall vote, if postponed, will be taken on Thursday, April 10, 1997.

**VETERANS EMPLOYMENT OPPORTUNITIES ACT OF 1997**

Mr. MICA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 240) to amend title 5, United States Code, to provide that consideration may not be denied to preference eligibles applying for certain positions in the competitive service, and for other purposes, as amended.

The Clerk read as follows:

H. 240

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

*This Act may be cited as the "Veterans Employment Opportunities Act of 1997".*

**SEC. 2. EQUAL ACCESS FOR VETERANS.**

(a) **COMPETITIVE SERVICE.**—Section 3304 of title 5, United States Code, is amended by adding at the end the following:

"(f)(1) No preference eligible, and no individual (other than a preference eligible) who has been separated from the armed forces under honorable conditions after 3 or more years of active service, shall be denied the opportunity to compete for an announced vacant position within an agency, in the competitive service or the excepted service, by reason of—

"(A) not having acquired competitive status; or

"(B) not being an employee of such agency.

"(2) Nothing in this subsection shall prevent an agency from filling a vacant position (whether by appointment or otherwise) solely from individuals on a priority placement list consisting of individuals who have been separated from the agency due to a reduction in force and surplus employees (as defined under regulations prescribed by the Office)."

(b) **CIVIL SERVICE EMPLOYMENT INFORMATION.**—

(1) **VACANT POSITIONS.**—Section 3327(b) of title 5, United States Code, is amended by striking "and" at the end of paragraph (1), by redesignating paragraph (2) as paragraph (3), and by inserting after paragraph (1) the following:

"(2) each vacant position in the agency for which competition is restricted to individuals having competitive status or employees of such agency, excluding any position under paragraph (1), and";

(2) **ADDITIONAL INFORMATION.**—Section 3327 of title 5, United States Code, is amended by adding at the end the following:

"(c) Any notification provided under this section shall, for all positions under subsection (b)(1) as to which section 3304(f) applies and for all positions under subsection (b)(2), include a notation as to the applicability of section 3304(f) with respect thereto.

"(d) In consultation with the Secretary of Labor, the Office shall submit to Congress and the President, no less frequently than every 2 years, a report detailing, with respect to the period covered by such report—

"(1) the number of positions listed under this section during such period;

"(2) the number of preference eligibles and other individuals described in section 3304(f)(1) referred to such positions during such period; and

"(3) the number of preference eligibles and other individuals described in section 3304(f)(1) appointed to such positions during such period."

(c) **GOVERNMENTWIDE LISTS.**—

(1) **VACANT POSITIONS.**—Section 3330(b) of title 5, United States Code, is amended to read as follows:

"(b) The Office of Personnel Management shall cause to be established and kept current—

"(1) a comprehensive list of all announcements of vacant positions (in the competitive service and the excepted service, respectively) within each agency that are to be filled by appointment for more than 1 year and for which applications are being or will soon be accepted from outside the agency's work force; and

"(2) a comprehensive list of all announcements of vacant positions within each agency for which applications are being or will soon be accepted and for which competition is restricted to individuals having competitive status or employees of such agency, excluding any position required to be listed under paragraph (1)."

(2) **ADDITIONAL INFORMATION.**—Section 3330(c) of title 5, United States Code, is amended by striking "and" at the end of paragraph (2), by redesignating paragraph (3) as paragraph (4), and by inserting after paragraph (2) the following:

"(3) for all positions under subsection (b)(1) as to which section 3304(f) applies and for all positions under subsection (b)(2), a notation as to the applicability of section 3304(f) with respect thereto; and"

(3) **CONFORMING AMENDMENT.**—Section 3330(d) of title 5, United States Code, is amended by striking "The list" and inserting "Each list under subsection (b)".

(d) **PROVISIONS RELATING TO THE UNITED STATES POSTAL SERVICE.**—

(1) **IN GENERAL.**—Subsection (a) of section 1005 of title 39, United States Code, is amended by adding at the end the following:

"(5)(A) The provisions of section 3304(f) of title 5 shall apply with respect to the Postal Service in the same manner and under the same conditions as if the Postal Service were an agency within the meaning of such provisions.

"(B) Nothing in this subsection shall be considered to require the application of section 3304(f) of title 5 in the case of any individual who is not an employee of the Postal Service if—

"(i) the vacant position involved is to be filled pursuant to a collective-bargaining agreement;

"(ii) the collective-bargaining agreement restricts competition for such position to individuals employed in a bargaining unit or installation within the Postal Service in which the position is located;

"(iii) the collective-bargaining agreement provides that the successful applicant shall be selected on the basis of seniority or qualifications; and

"(iv) the position to be filled is within a bargaining unit.

"(C) The provisions of this paragraph shall not be modified by any program developed under section 1004 of this title or any collective-bargaining agreement entered into under chapter 12 of this title."

(2) **CONFORMING AMENDMENT.**—The first sentence of section 1005(a)(2) of title 39, United States Code, is amended by striking "title." and inserting "title, subject to paragraph (5) of this subsection."

**SEC. 3. SPECIAL PROTECTIONS FOR PREFERENCE ELIGIBLES IN REDUCTIONS IN FORCE.**

(a) **IN GENERAL.**—Section 3502 of title 5, United States Code, as amended by section 1034 of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104-106; 110 Stat. 430), is amended by adding at the end the following:

"(g)(1) A position occupied by a preference eligible shall not be placed in a single-position competitive level if the preference eligible is qualified to perform the essential functions of any other position at the same grade (or occupational level) in the competitive area. In such cases, the preference eligible shall be entitled to be placed in another competitive level for which such preference eligible is qualified. If the preference eligible is qualified for more than one competitive level, such preference eligible shall be placed in the competitive level containing the most positions.

"(2) For purposes of paragraph (1)—

"(A) a preference eligible shall be considered qualified to perform the essential functions of a position if, by reason of experience, training, or education (and, in the case of a disabled veteran, with reasonable accommodation), a reasonable person could conclude that the preference eligible would be able to perform those functions successfully within a period of 150 days; and

"(B) a preference eligible shall not be considered unqualified solely because such preference eligible does not meet the minimum qualification requirements relating to previous experience in a specified grade (or occupational level), if any, that are established for such position by the Office of Personnel Management or the agency.

"(h) In connection with any reduction in force, a preference eligible whose current or most recent performance rating is at least fully successful (or the equivalent) shall have, in addition to such assignment rights as are prescribed by regulation, the right, in lieu of separation, to be assigned to any position within the agency conducting the reduction in force—

"(1) for which such preference eligible is qualified under subsection (g)(2)—

"(A) that is within the preference eligible's commuting area and at the same grade (or occupational level) as the position from which the preference eligible was released, and that is then occupied by an individual, other than another preference eligible, who was placed in such position (whether by appointment or otherwise) within 6 months before the reduction in force if, within 12 months prior to the date on which such individual was so placed in such position, such individual had been employed in the same competitive area as the preference eligible; or

"(B) that is within the preference eligible's competitive area and that is then occupied by an individual, other than another preference eligible, who was placed in such position (whether by appointment or otherwise) within 6 months before the reduction in force; or

"(2) for which such preference eligible is qualified that is within the preference eligible's competitive area and that is not more than 3 grades (or pay levels) below that of the position from which the preference eligible was released, except that, in the case of a preference eligible with a compensable service-connected disability of 30 percent or more, this paragraph shall be applied by substituting '5 grades' for '3 grades'. In the event that a preference eligible is entitled to assignment to more than 1 position under this subsection, the agency shall assign the preference eligible to any such position requiring no reduction (or, if there is no such position, the least reduction) in basic pay. A position shall not, with respect to a preference eligible, be considered to satisfy the requirements of paragraph (1) or (2), as applicable, if it does not last for at least 12 months following the date on which such preference eligible is assigned to such position under this subsection.

"(i) A preference eligible may challenge the classification of any position to which the preference eligible asserts assignment rights (as provided by, or prescribed by regulations described in, subsection (h)) in an action before the Merit Systems Protection Board.

"(j)(1) Not later than 90 days after the date of the enactment of the Veterans Employment Opportunities Act of 1997, each Executive agency shall establish an agencywide priority placement program to facilitate employment placement for employees who—

"(A)(i) are scheduled to be separated from service due to a reduction in force under—

"(I) regulations prescribed under this section; or

"(II) procedures established under section 3595; or

"(ii) are separated from service due to such a reduction in force; and

"(B)(i) have received a rating of at least fully successful (or the equivalent) as the last performance rating of record used for retention purposes; or

"(ii) occupy positions excluded from a performance appraisal system by law, regulation, or administrative action taken by the Office of Personnel Management.

"(2)(A) Each agencywide priority placement program under this subsection shall include provisions under which a vacant position shall not (except as provided in this paragraph or any other statute providing the right of reemployment to any individual) be filled by the appointment or transfer of any individual from outside



of that agency (other than an individual described in subparagraph (B)) if—

"(i) there is then available any individual described in subparagraph (B) who is qualified for the position; and

"(ii) the position—

"(I) is at the same grade or pay level (or the equivalent) or not more than 3 grades (or grade intervals) below that of the position last held by such individual before placement in the new position;

"(II) is within the same commuting area as the individual's last-held position (as referred to in subclause (I)) or residence; and

"(III) has the same type of work schedule (whether full-time, part-time, or intermittent) as the position last held by the individual.

"(B) For purposes of an agencywide priority placement program, an individual shall be considered to be described in this subparagraph if such individual—

"(i)(I) is an employee of such agency who is scheduled to be separated, as described in paragraph (1)(A)(i); or

"(II) is an individual who became a former employee of such agency as a result of a separation, as described in paragraph (1)(A)(ii), excluding any individual who separated voluntarily under subsection (f); and

"(ii) satisfies clause (i) or (ii) of paragraph (1)(B).

"(3)(A) If after a reduction in force the agency has no positions of any type within the local commuting areas specified in this subsection, the individual may designate a different local commuting area where the agency has continuing positions in order to exercise reemployment rights under this subsection. An agency may determine that such designations are not in the interest of the Government for the purpose of paying relocation expenses under subchapter II of chapter 57.

"(B) At its option, an agency may administratively extend reemployment rights under this subsection to include other local commuting areas.

"(4)(A) In selecting employees for positions under this subsection, the agency shall place qualified present and former employees in retention order by veterans' preference subgroup and tenure group.

"(B) An agency may not pass over a qualified present or former employee to select an individual in a lower veterans' preference subgroup within the tenure group, or in a lower tenure group.

"(C) Within a subgroup, the agency may select a qualified present or former employee without regard to the individual's total creditable service.

"(5) An individual is eligible for reemployment priority under this subsection for 2 years from the effective date of the reduction in force from which the individual will be, or has been, separated under this section or section 3595, as the case may be.

"(6) An individual loses eligibility for reemployment priority under this subsection when the individual—

"(A) requests removal in writing;

"(B) accepts or declines a bona fide offer under this subsection or fails to accept such an offer within the period of time allowed for such acceptance; or

"(C) separates from the agency before being separated under this section or section 3595, as the case may be.

A present or former employee who declines a position with a representative rate (or equivalent) that is less than the rate of the position from which the individual was separated under this section retains eligibility for positions with a higher representative rate up to the rate of the individual's last position.

"(7) Whenever more than one individual is qualified for a position under this subsection, the agency shall select the most highly qualified individual, subject to paragraph (4).

"(8) The Office of Personnel Management shall issue regulations to implement this subsection."

#### (b) APPLICABILITY.—

(1) IN GENERAL.—Subject to paragraph (2), the amendments made by this section shall apply with respect to—

(A) reductions in force taking effect after the end of the 90-day period beginning on the date of the enactment of this Act; or

(B) in the case of the Department of Defense, reductions in force taking effect after the end of the 1-year period beginning on the date of the enactment of this Act.

(2) ONGOING REDUCTIONS IN FORCE.—If an agency has given written notice of a reduction in force to any of its employees within a competitive area, in accordance with section 3502(d)(1)(A) of title 5, United States Code, before the effective date under subparagraph (A) or (B) of paragraph (1), as applicable, then, for purposes of determining the rights of any employee within such area in connection with such reduction in force, the amendments made by this section shall be treated as if they had never been enacted. Nothing in the preceding sentence shall affect any rights under a priority placement program under section 3502(f) of title 5, United States Code, as amended by this section.

#### SEC. 4. IMPROVED REDRESS FOR VETERANS.

(a) IN GENERAL.—Subchapter I of chapter 33 of title 5, United States Code, is amended by adding at the end the following:

##### "§ 3330a. Administrative redress

"(a)(1) Any preference eligible or other individual described in section 3304(f)(1) who alleges that an agency has violated such individual's rights under any statute or regulation relating to veterans' preference, or any right afforded such individual by section 3304(f), may file a complaint with the Secretary of Labor.

"(2) A complaint under this subsection must be filed within 60 days after the date of the alleged violation, and the Secretary shall process such complaint in accordance with sections 4322 (a) through (e)(1) and 4326 of title 38.

"(b)(1) If the Secretary of Labor is unable to resolve the complaint within 60 days after the date on which it is filed, the complainant may elect to appeal the alleged violation to the Merit Systems Protection Board in accordance with such procedures as the Merit Systems Protection Board shall prescribe, except that in no event may any such appeal be brought—

"(A) before the 61st day after the date on which the complaint is filed under subsection (a); or

"(B) later than 15 days after the date on which the complainant receives notification from the Secretary of Labor under section 4322(e)(1) of title 38.

"(2) An appeal under this subsection may not be brought unless—

"(A) the complainant first provides written notification to the Secretary of Labor of such complainant's intention to bring such appeal; and

"(B) appropriate evidence of compliance with subparagraph (A) is included (in such form and manner as the Merit Systems Protection Board may prescribe) with the notice of appeal under this subsection.

"(3) Upon receiving notification under paragraph (2)(A), the Secretary of Labor shall not continue to investigate or further attempt to resolve the complaint to which such notification relates.

"(c) This section shall not be construed to prohibit a preference eligible from appealing directly to the Merit Systems Protection Board

from any action which is appealable to the Board under any other law, rule, or regulation, in lieu of administrative redress under this section.

##### "§ 3330b. Judicial redress

"(a) In lieu of continuing the administrative redress procedure provided under section 3330a(b), a preference eligible or other individual described in section 3304(f)(1) may elect, in accordance with this section, to terminate those administrative proceedings and file an action with the appropriate United States district court not later than 60 days after the date of the election.

"(b) An election under this section may not be made—

"(1) before the 121st day after the date on which the appeal is filed with the Merit Systems Protection Board under section 3330a(b); or

"(2) after the Merit Systems Protection Board has issued a judicially reviewable decision on the merits of the appeal.

"(c) An election under this section shall be made, in writing, in such form and manner as the Merit Systems Protection Board shall by regulation prescribe. The election shall be effective as of the date on which it is received, and the administrative proceeding to which it relates shall terminate immediately upon the receipt of such election.

##### "§ 3330c. Remedy

"(a) If the Merit Systems Protection Board (in a proceeding under section 3330a) or a court (in a proceeding under section 3330b) determines that an agency has violated a right described in section 3330a, the Board or court (as the case may be) shall order the agency to comply with such provisions and award compensation for any loss of wages or benefits suffered by the individual by reason of the violation involved. If the Board or court determines that such violation was willful, it shall award an amount equal to backpay as liquidated damages.

"(b) A preference eligible or other individual described in section 3304(f)(1) who prevails in an action under section 3330a or 3330b shall be awarded reasonable attorney fees, expert witness fees, and other litigation expenses."

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 33 of title 5, United States Code, is amended by adding after the item relating to section 3330 the following:

"3330a. Administrative redress.

"3330b. Judicial redress.

"3330c. Remedy."

#### SEC. 5. EXTENSION OF VETERANS' PREFERENCE.

(a) AMENDMENT TO TITLE 5, UNITED STATES CODE.—Paragraph (3) of section 2108 of title 5, United States Code, is amended by striking "the Federal Bureau of Investigation and Drug Enforcement Administration Senior Executive Service, or the General Accounting Office," and inserting "or the Federal Bureau of Investigation and Drug Enforcement Administration Senior Executive Service;"

(b) AMENDMENTS TO TITLE 3, UNITED STATES CODE.—

(1) IN GENERAL.—Chapter 2 of title 3, United States Code, is amended by adding at the end the following:

##### "§ 115. Veterans' preference

"(a) Subject to subsection (b), appointments under sections 105, 106, and 107 shall be made in accordance with section 2108, and sections 3309 through 3312, of title 5.

"(b) Subsection (a) shall not apply to any appointment to a position the rate of basic pay for which is at least equal to the minimum rate established for positions in the Senior Executive Service under section 5382 of title 5 and the duties of which are comparable to those described in section 3132(a)(2) of such title or to any other position if, with respect to such position, the President makes certification—

"(1) that such position is—

"(A) a confidential or policy-making position; or

"(B) a position for which political affiliation or political philosophy is otherwise an important qualification; and

"(2) that any individual selected for such position is expected to vacate the position at or before the end of the President's term (or terms) of office.

Each individual appointed to a position described in the preceding sentence as to which the expectation described in paragraph (2) applies shall be notified as to such expectation, in writing, at the time of appointment to such position."

(2) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 2 of title 3, United States Code, is amended by adding at the end the following:

"115. Veterans' preference."

(c) **LEGISLATIVE BRANCH APPOINTMENTS.**—

(1) **DEFINITIONS.**—For the purposes of this subsection, the terms "employing office", "covered employee", and "Board" shall each have the meaning given such term by section 101 of the Congressional Accountability Act of 1995 (2 U.S.C. 1301).

(2) **RIGHTS AND PROTECTIONS.**—The rights and protections established under section 2108, sections 3309 through 3312, and subchapter I of chapter 35, of title 5, United States Code, shall apply to covered employees.

(3) **REMEDIES.**—

(A) **IN GENERAL.**—The remedy for a violation of paragraph (2) shall be such remedy as would be appropriate if awarded under applicable provisions of title 5, United States Code, in the case of a violation of the relevant corresponding provision (referred to in paragraph (2)) of such title.

(B) **PROCEDURE.**—The procedure for consideration of alleged violations of paragraph (2) shall be the same as apply under section 401 of the Congressional Accountability Act of 1995 (and the provisions of law referred to therein) in the case of an alleged violation of part A of title II of such Act.

(4) **REGULATIONS TO IMPLEMENT SUBSECTION.**—

(A) **IN GENERAL.**—The Board shall, pursuant to section 304 of the Congressional Accountability Act of 1995 (2 U.S.C. 1384), issue regulations to implement this subsection.

(B) **AGENCY REGULATIONS.**—The regulations issued under subparagraph (A) shall be the same as the most relevant substantive regulations (applicable with respect to the executive branch) promulgated to implement the statutory provisions referred to in paragraph (2) except insofar as the Board may determine, for good cause shown and stated together with the regulation, that a modification of such regulations would be more effective for the implementation of the rights and protections under this subsection.

(C) **COORDINATION.**—The regulations issued under subparagraph (A) shall be consistent with section 225 of the Congressional Accountability Act of 1995 (2 U.S.C. 1361).

(5) **APPLICABILITY.**—Notwithstanding any other provision of this subsection, the term "covered employee" shall not, for purposes of this subsection, include an employee—

(A) whose appointment is made by the President with the advice and consent of the Senate;

(B) whose appointment is made by a Member of Congress or by a committee or subcommittee of either House of Congress; or

(C) who is appointed to a position, the duties of which are equivalent to those of a Senior Executive Service position (within the meaning of section 3132(a)(2) of title 5, United States Code).

(6) **EFFECTIVE DATE.**—Paragraphs (2) and (3) shall be effective as of the effective date of the regulations under paragraph (4).

(d) **JUDICIAL BRANCH APPOINTMENTS.**—

(1) **IN GENERAL.**—Subject to paragraphs (2) through (4), the Judicial Conference of the United States shall prescribe regulations to provide for—

(A) veterans' preference in the consideration of applicants for employment, and in the conduct of any reductions in force, within the judicial branch; and

(B) redress procedures for alleged violations of any rights provided for under subparagraph (A).

(2) **REGULATIONS TO BE BASED ON EXISTING PROVISIONS.**—Under the regulations—

(A) a preference eligible (as defined by section 2108 of title 5, United States Code) shall be afforded preferences similar to those under sections 3309 through 3312, and subchapter I of chapter 35, of such title 5; and

(B) the redress procedures provided for shall be similar to those under the amendments made by section 4.

(3) **EXCLUSIONS.**—Nothing in the regulations shall apply with respect to—

(A) an appointment made by the President, with the advice and consent of the Senate;

(B) an appointment as a judicial officer;

(C) an appointment as a law clerk or secretary to a justice or judge of the United States; or

(D) an appointment to a position, the duties of which are equivalent to those of a Senior Executive Service position (within the meaning of section 3132(a)(2) of title 5, United States Code).

(4) **CONSULTATION.**—The regulations under this subsection shall be prescribed by the Judicial Conference of the United States, in consultation with—

(A) the largest congressionally chartered veterans' service organization;

(B) 2 congressionally chartered veterans' service organizations that represent former non-commissioned officers;

(C) a congressionally chartered veterans' service organization that represents veterans who have fought in foreign wars;

(D) a congressionally chartered veterans' service organization that represents veterans with service-connected disabilities;

(E) a congressionally chartered veterans' service organization that represents veterans of the Vietnam era; and

(F) a congressionally chartered veterans' service organization that represents veterans of World War II, the Korean conflict, the Vietnam era, and the Persian Gulf War.

(5) **DEFINITIONS.**—For purposes of this subsection—

(A) the term "judicial officer" means a justice, judge, or magistrate judge listed in subparagraph (A), (B), (F), or (G) of section 376(a)(1) of title 28, United States Code; and

(B) the term "justice or judge of the United States" has the meaning given such term by section 451 of such title 28.

(6) **SUBMISSION TO CONGRESS; EFFECTIVE DATE.**—

(A) **SUBMISSION TO CONGRESS.**—Within 5 months after the date of the enactment of this Act, the Judicial Conference of the United States shall submit a copy of the regulations prescribed under this subsection to the Committee on Government Reform and Oversight and the Committee on the Judiciary of the House of Representatives and the Committee on Governmental Affairs and the Committee on the Judiciary of the Senate.

(B) **EFFECTIVE DATE.**—The regulations prescribed under this subsection shall take effect 6 months after the date of the enactment of this Act.

**SEC. 6. VETERANS' PREFERENCE REQUIRED FOR REDUCTIONS IN FORCE IN THE FEDERAL AVIATION ADMINISTRATION.**

Section 347(b) of the Department of Transportation and Related Agencies Appropriations Act,

1996 (109 Stat. 460) is amended by striking "and" at the end of paragraph (6), by striking the period at the end of paragraph (7) and inserting "; and", and by adding at the end the following:

"(8) sections 3501-3504, as such sections relate to veterans' preference."

**SEC. 7. DEFINITIONAL AMENDMENT.**

Subparagraph (A) of section 2108(1) of title 5, United States Code, is amended by inserting "during a military operation in a qualified hazardous duty area (within the meaning of the first 2 sentences of section 1(b) of Public Law 104-117) and in accordance with requirements that may be prescribed in regulations of the Secretary of Defense," after "for which a campaign badge has been authorized."

**SEC. 8. FAILURE TO COMPLY WITH VETERANS' PREFERENCE REQUIREMENTS TO BE TREATED AS A PROHIBITED PERSONNEL PRACTICE FOR CERTAIN PURPOSES.**

(a) **IN GENERAL.**—Subsection (b) of section 2302 of title 5, United States Code, is amended—

(1) by striking "or" at the end of paragraph (10);

(2) by redesignating paragraph (11) as paragraph (12); and

(3) by inserting after paragraph (10) the following:

"(11)(A) knowingly take, recommend, or approve any personnel action if the taking of such action would violate a veterans' preference requirement; or

"(B) knowingly fail to take, recommend, or approve any personnel action if the failure to take such action would violate a veterans' preference requirement; or"

(b) **DEFINITION; LIMITATION.**—Section 2302 of title 5, United States Code, is amended by adding at the end the following:

"(e)(1) For the purpose of this section, the term 'veterans' preference requirement' means any of the following provisions of law:

"(A) Sections 2108, 3305(b), 3309, 3310, 3311, 3312, 3313, 3314, 3315, 3316, 3317(b), 3318, 3320, 3351, 3352, 3363, 3501, 3502(b), 3504, and 4303(e) and (with respect to a preference eligible referred to in section 7511(a)(1)(B)) subchapter II of chapter 75 and section 7701.

"(B) Sections 943(c)(2) and 1784(c) of title 10.

"(C) Section 1308(b) of the Alaska National Interest Lands Conservation Act.

"(D) Section 301(c) of the Foreign Service Act of 1980.

"(E) Sections 106(f), 7281(e), and 7802(5) of title 38.

"(F) Section 1005(a) of title 39.

"(G) Any other provision of law that the Director of the Office of Personnel Management designates in regulations as being a veterans' preference requirement for the purposes of this subsection.

"(H) Any regulation prescribed under subsection (b) or (c) of section 1302 and any other regulation that implements a provision of law referred to in any of the preceding subparagraphs.

"(2) Notwithstanding any other provision of this title, no authority to order corrective action shall be available in connection with a prohibited personnel practice described in subsection (b)(11). Nothing in this paragraph shall be considered to affect any authority under section 1215 (relating to disciplinary action)."

(c) **REPEALS.**—

(1) **PROVISIONS OF TITLE 10, UNITED STATES CODE.**—Section 1599c of title 10, United States Code, and the item relating to such section in the table of sections at the beginning of chapter 81 of such title are repealed.

(2) **SECTION 2302(a)(1) OF TITLE 5, UNITED STATES CODE.**—Subsection (a)(1) of section 2302 of title 5, United States Code, is amended to read as follows:



"(a)(1) For the purpose of this title, 'prohibited personnel practice' means any action described in subsection (b)."

(d) SAVINGS PROVISION.—This section shall be treated as if it had never been enacted for purposes of any personnel action (within the meaning of section 2302 of title 5, United States Code) preceding the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida [Mr. MICA] and the gentleman from Pennsylvania [Mr. HOLDEN] each will control 20 minutes.

The Chair recognizes the gentleman from Florida [Mr. MICA].

Mr. MICA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased to come to the floor this afternoon to present H.R. 240, the Veterans' Employment Opportunity Act of 1997, as reported.

This legislation contains many vital features of importance to our Nation's veterans. This bill is the product of hard work by a number of Members on both sides of the aisle, Mr. Speaker.

I want to take just a moment to pay particular thanks to several individuals who have helped make this historic legislation possible. First, the gentleman from Arizona [Mr. STUMP], who chairs the Committee on Veterans' Affairs, the gentleman from Indiana [Mr. BUYER], who is chair of one of the subcommittees and last year worked with us on a nonstop basis. Both of those gentlemen deserve great credit.

In addition, of course, the chairman of the Committee on Rules, who has been an untiring advocate on behalf of our veterans interests, the gentleman from New York [Mr. SOLOMON], also the gentleman from Indiana [Mr. BURTON], chair of our committee, and the gentleman from New Jersey [Mr. FRELINGHUYSEN].

I also want to pay a particular debt of gratitude to the new ranking member of our subcommittee, the Civil Service Subcommittee, which I chair and which produced this legislation, to the gentleman from Pennsylvania [Mr. HOLDEN], again, the current ranking member of our subcommittee, and also to the gentleman for Virginia [Mr. MORAN], who was the ranking member of the subcommittee last year, and his untiring efforts helped make this legislation possible, and also to the many Members who served and acted as cosponsors of this legislation.

Mr. Speaker, last year the House passed a very similar bill, H.R. 3586, with overwhelming support. However, the other body failed to act on this legislation before we adjourned. In order to strengthen that proposal that we had last year, that bill, and in order to facilitate its consideration as it moves through the Congress, we have consulted with the major veterans service organizations, Federal employee organizations, and other interested parties before bringing the legislation back to the House. I want to thank each of these organizations also for their assistance.

Mr. Speaker, there are two important differences that I would like to explain between the bill before the House today and the bill we passed last year. First, H.R. 240 makes the knowing violation of veterans preference a prohibited personnel practice.

Second, as a result of our consultations, we made it clear that the bill would not interfere with job bidding and assignment under selective bargaining agreements in the Postal Service.

Mr. Speaker, I will not attempt to detail here all of the benefits in this bill for our veterans, but I would like to emphasize what I believe are the three most important provisions of this legislation:

First, H.R. 240 establishes for the first time an effective user-friendly redress mechanism for our veterans whose rights have been violated. The second major provisions of H.R. 240 protects veterans against reductions in force using techniques that we have seen such as single person competition that in fact undermine veterans preference.

The third major provisions in the equal access section of the bill. Mr. Speaker, this provision has been included to ensure fair treatment for the men and women we employ in the Armed Forces. Just because these Federal employees have worn uniforms should not bar them from competing for Federal jobs. Yet that is the practice in the Federal civilian work force that we see today.

This bill tears down those artificial barriers for those who have served honorably in the Armed Forces for 3 years. We have made clear, however, that the equal access provisions do not interfere with certain transfers, promotions and assignments of employees under collective bargaining agreements between the Postal Service and its unions. The language in the bill has been carefully crafted.

Mr. Speaker, this bill does not interfere with the reassignment or transfer of rights of postal employees, and it does not diminish the rights of injured postal employees to what is called limited or light duty positions.

Finally, the bill has also been revised to permit the Judicial Conference to develop its own program for implementing veterans preference in our judicial branch. We recognize that personnel practices in the judicial branch may differ and do differ markedly in many instances from civil service processes in the executive branch.

Finally, Mr. Speaker, we have honored the request of the Office of Personnel Management that in fact when there are changes in reduction in force procedures, that we do not disrupt ongoing RIF's and that at least 90 days will be allowed in which to implement those changes.

Mr. Speaker, I reserve the balance of my time.

Mr. HOLDEN. Mr. Speaker, I yield 30 seconds to the gentleman from Virginia [Mr. MORAN], who was the subcommittee ranking member in the last Congress and worked very hard on this legislation.

Mr. MORAN. Mr. Speaker, I thank my friend and colleague from Pennsylvania for yielding me the time.

Let me just congratulate the gentleman from Florida [Mr. MICA], the chairman, and staff director, Mr. Nesterczuk, for bringing this bill forward and my good friend and colleague, the gentleman from Pennsylvania [Mr. HOLDEN], the ranking Democrat on the subcommittee, and his ace staff Cedric did such a great job last year. I know what a great job he did this year as well. I know it is a good bill and will be overwhelmingly approved. They did a good job.

Mr. HOLDEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today to express my strong support for H.R. 240, the Veterans' Employment Opportunity Act. I would first like to congratulate the Civil Service Subcommittee chairman, the gentleman from Florida [Mr. MICA], for his leadership and bipartisan efforts on behalf of America's veterans to strengthen the veterans preference policies and programs.

The spirit of cooperation on both sides of the aisle has been critical in bringing forward this important legislation. Last year Chairman MICA and the gentleman from Virginia [Mr. MORAN], the ranking member, did a great job working on this issue, a great deal of work on this issue. H.R. 240 continues our efforts to strengthen veterans preference. It builds on the progress made by last year's bill by improving the ability of veterans to compete during the Federal hiring process, providing adequate protection for preference eligibles and reductions in force, extending veterans preference to all branches of the Federal Government and providing veterans preference for service in Bosnia, Croatia, and the former Yugoslav Republic of Macedonia.

The bill also makes knowing violations of veterans preference laws a prohibited personnel practice. Finally, it makes improvements in the system for investigating and redressing violations whenever they occur.

Testimony in previous Civil Service Subcommittee hearings has revealed that veterans preference in the Federal work force is often ignored or circumvented and that its continued viability in the workplace is threatened on several fronts.

This legislation addresses these problems by making it more difficult for agencies to place preference eligibles in single-position competitive levels. Under this bill, preference eligibles cannot be placed in such a competitive level if by reason of their education,

training or experience, a reasonable person could conclude that they would be able to successfully perform another job at the same grade and in the same competitive level within 150 days. In such cases, the preference eligible is to be placed in another competitive level for which he or she qualifies.

We have always agreed that our veterans deserve special consideration in employment decisions because of their special contributions to our country, and this bill continues that tradition.

Our veterans answered their call to duty and were always there for our country in times of need. This legislation honors our obligation to our veterans, who make up 28 percent of the Federal Government employees, and protects their rights in the Federal work force.

H.R. 240 is a good bipartisan framework for strengthening veterans preference. I know that some concerns remain about specific provisions of the bill, and I look forward to working with the chairman and all interested parties to address these concerns.

With the leadership of the Civil Service Subcommittee in the House and the cooperation of the Senate, we have an opportunity with H.R. 240 to pass an effective bill which will give our veterans help in obtaining and retaining civilian employment within the Federal Government based upon their military service.

□ 1330

I urge all my colleagues to support this important legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. MICA. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey [Mr. PAPPAS] the vice chairman of the Subcommittee on Civil Service.

Mr. PAPPAS. Mr. Speaker, I rise today to support our veterans by calling for the passage of the Veterans Employment Opportunities Act, introduced by the distinguished gentleman from Florida [Mr. MICA].

For too long many of our Nation's veterans have been neglected by our own Government when it comes to obtaining Federal employment. Our Nation's veterans, who served so selflessly and risked their lives, face unnecessary restrictions that preclude them from employment. All they simply desire is the opportunity to continue serving their Nation.

As a result of this legislation, veterans can apply for Federal jobs on a more competitive basis at a time when their employment within the Federal work force is declining and approaching a historically low level.

This is a bipartisan bill that reflects the interests of the people who served our country so courageously. I commend Mr. MICA for his work and urge my colleagues to support it.

Mr. HOLDEN. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois

[Mr. EVANS] who is the ranking member of the Committee on Veterans' Affairs.

Mr. EVANS. Mr. Speaker, I thank the gentleman for yielding this time to me.

I rise in strong support of the Veterans Employment Opportunities Act. For the first time, wartime veterans and service-connected-disabled veterans will have access to an effective appellate process if they believe their rights under veterans' preference laws have been violated. Additionally, the bill will provide meaningful protection during a reduction in force for all preference eligibles.

I want to thank the gentleman from Florida [Mr. MICA], the gentleman from Virginia [Mr. MORAN], and the gentleman from New York [Mr. HOUGHTON] for their bipartisan efforts on behalf of our Nation's veterans.

I also want to mention the good advice and hard work the representatives of the veterans' service organizations have contributed to the development of this legislation. Their assistance and cooperation was invaluable.

H.R. 240 is an excellent bill, and I urge my colleagues to support this measure.

Mr. MICA. Mr. Speaker, I yield 1½ minutes to the gentleman from New Jersey [Mr. FRELINGHUYSEN] who is the very distinguished Member who has been a very strong advocate on behalf of our veterans.

Mr. FRELINGHUYSEN. Mr. Speaker, I thank the gentleman for yielding me this time, and let me salute the gentleman from Florida, Chairman MICA, and the ranking member for their hard work and effort on this piece of legislation.

As a veteran, I am proud to support the Veterans Employment Opportunities Act, which addresses some very serious concerns I have regarding personnel decisions being made at Federal facilities in my congressional district and around the Nation. Those men and women who have sacrificed years of their lives securing the blessings of liberty for all Americans deserve to be credited for that service in the Federal workplace.

My chief concern is that veterans' preference is being circumvented by many Federal agencies while they are downsizing through what is known as the designer reduction in force, or designer RIF. Many RIF's are carried out by Federal agencies artificially tailoring job categories to make them uncompetitive, thereby negating the employment of veterans' preference in the first place.

The bill Mr. MICA has brought to the floor today would make it more difficult for agencies to use these types of RIF's and provide veterans who are RIF'd with enhanced rights to other jobs. More importantly, this legislation would finally give veterans who believe

their rights have been violated a user-friendly redress system, while also making violation of veterans' preference a prohibited personnel practice to be enforced with disciplinary action.

Finally, Mr. Speaker, I would be remiss if I did not thank the chairman, Mr. MICA, and his staff for inviting me to help in crafting this bill to strengthen and expand veterans' preference. The chairman and his staff have done a wonderful job, and I am very proud to join with them.

Mr. MICA. Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania [Mr. FOX] for the purpose of a colloquy.

The gentleman from Pennsylvania [Mr. FOX] has worked with the subcommittee both last year and this year. He has some very specific concerns about the application of this legislation, and we were not able to meet all of the requirements he would like in this legislation, but he is going to state in his colloquy his goal.

Mr. FOX of Pennsylvania. Mr. Speaker, I want to thank the distinguished chairman of the Subcommittee on Civil Service, Mr. MICA, for bringing this important issue before the House today. I would like to commend him for his leadership on this important matter of veterans' employment opportunities. I also want to indicate my support for H.R. 240 that is before us today.

I believe there is another related issue that needs to be addressed as well, Mr. Speaker. Reservists from all branches that were called to active duty during Desert Storm and Desert Shield but did not serve in the actual theater of combat were not awarded veterans' preference points. I would like to point out that these fine men and women were an integral part of supporting these important operations by making them so successful.

There is precedent from the Vietnam era for giving preference points to reservists who were not in the theater of operation but still called to active duty. In this case, many of them went overseas as well but not to the theater.

I have introduced H.R. 1006, which would correct this injustice. It is a related bill and seems to go hand in hand with this bill brought by Congressman MICA. I would very much like to work together with Mr. MICA, as the chairman, and other representatives of the House and Senate to see both these important measures pass the Chambers and are signed into law in this Congress and in this session.

Mr. MICA. Mr. Speaker, I yield myself such time as I may consume to tell the gentleman from Pennsylvania that it is my intention to work with the gentleman on the matters he has raised, and the gentleman has my commitment to do so.

Mr. Speaker, I reserve the balance of my time.

Mr. HOLDEN. Mr. Speaker, I yield myself such time as I may consume for



the purpose of entering into a colloquy with the subcommittee chairman, Mr. MICA.

Mr. Speaker, as I indicated during my earlier statement, I am aware there are still some groups with concerns about certain provisions of this bill. Though we expect to pass this bill in the House today, I would like the gentleman's commitment to continue working with me, our colleagues in the Senate, and all interested parties to address these concerns and further improve the bill.

Mr. Speaker, I reserve the balance of my time.

Mr. MICA. Mr. Speaker, might I inquire as to how much time we have left on each side?

The SPEAKER pro tempore (Mr. GUTKNECHT). The gentleman from Florida [Mr. MICA] has 10 minutes remaining; the gentleman from Pennsylvania [Mr. HOLDEN] has 15 minutes remaining.

Mr. MICA. Mr. Speaker, I yield 3 minutes to the gentleman from Texas [Mr. SESSIONS] another distinguished member of our subcommittee.

Mr. SESSIONS. Mr. Speaker, I thank the gentleman for yielding me this time.

It is a privilege to come before the American people in support of this bill, and it is never inappropriate, I believe, to stand up for the rights of veterans, men and women of this country who have fought for us not only in peacetime but also in war. It is easy to take for granted the freedom that we experience every day, but we must not and cannot ever forget the contributions that the men and women of this country of our Armed Forces have made for America.

The Veterans Employment Opportunities Act of 1997 gives to those who have served our country needed appeals and avenues in cases where they may have been denied the opportunity to work in a position for which they were qualified. When veterans are not given the chance to prove their ability, I believe justice must prevail.

H.R. 240 strengthens the veterans' preference in place today and increases economic and employment opportunity for veterans. This bill would create for the first time an effective, user-friendly redress system for veterans who believe that their rights may have been violated. It would make any violation of veterans' preferences a prohibited personnel practice and provide severe disciplinary actions for those who violate those preferences.

Perhaps the most important element of this legislation is the fact that it will remove artificial barriers that often bar service men and women from competing for Federal jobs. These individuals should be able to compete for jobs for which they are qualified just like other Federal employees.

Government downsizing has not been good for veterans of this country. In

1984, veterans accounted for 38 percent of the Federal work force. Today, sadly, that number hovers at just 28 percent.

James King, Director of the Office of Personnel Management, testified before the chairman's subcommittee that as recently as 1992 the percentage of veterans among Federal civilian full-time permanent new hires averaged just 18.5 percent. This is a crisis. The talent and drive that our veterans possess could be just the thing that could turn our bloated bureaucracy around.

One element of this legislation that was particularly important to me was the fact that it ensures that only the most qualified candidates could receive employment under a veteran's preference. Some say that this legislation will place unqualified people in positions of importance, but as my good friend, the gentleman from Florida [Mr. MICA] assures me, this artful bill makes certain that those veterans with the most experience and the greater qualifications get a fair treatment when they are applying for a Federal job.

Mr. Speaker, I urge enactment of this bill and, thus, I stand for the good people, men and women, who have represented America in peacetime and in war.

Mr. HOLDEN. Mr. Speaker, I yield myself such time as I may consume.

In following up to my prior inquiry, Mr. Speaker, I want to have a commitment from the gentleman from Florida [Mr. MICA] that I received privately, off the record, that we would continue to work with interested parties who have some concerns about the bill and do our best to address those concerns as we move forward with the process.

Mr. MICA. Mr. Speaker, I yield myself such time as I may consume to assure the gentleman from Pennsylvania and the distinguished ranking member that he has my commitment to work with him and the subcommittee in working out any further details or problems with this legislation as it moves through both the House and the other body.

Mr. HOLDEN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. MICA. Mr. Speaker, I yield myself the balance of my time to close.

Mr. Speaker, when the Veterans Preference Act was passed in 1944, veterans had a reasonable expectation that service to our Nation would be recognized and rewarded. Veterans, many of whom risked their lives and livelihood, could expect, with all other factors being equal, to be given a preference when seeking Federal employment.

As our country has moved from the threat of international conflict, rewarding those who in fact have served our military has become more an illusion than a reality, unfortunately. While hiring preferences for others, for

various reasons, has actively been encouraged, veterans' preference in securing Federal employment has, unfortunately, withered on the vine.

□ 1345

Lacking any enforcement or redress capability, veterans have watched the value of their so-called preference decline as others usurp their rightful place at the front of the Federal employment line. How ironic it is that those whose Federal service often put them at the most peril in an armed conflict now become more often the last hired and the first fired in a time of downsizing.

In closing, Mr. Speaker, I believe that the Veterans Employment Opportunities Act of 1997 provides much-needed protection to our veterans. It provides an effective redress system, and it expands job opportunities for those who in fact have served our Nation honorably in its armed forces.

Mr. Speaker, this bill is strongly supported by 19 major veterans service organizations representing 12 million veterans. I urge my colleagues to support and pass this bill.

Mr. BURTON of Indiana. Mr. Speaker, I rise in strong support of H.R. 240, the Veterans Employment Opportunities Act of 1997. As chairman of the Government Reform and Oversight Committee, I am pleased that one of the committee's first bills on the floor in the 105th Congress is one which will help our Nation's veterans. Chairman JOHN MICA is to be commended for his hard work on this issue and for introducing this bipartisan measure and bringing it to the floor. Last year the House passed similar legislation not once, but twice. Unfortunately, the other body failed to act on this legislation. I was an original cosponsor of H.R. 3586, which Congressman MICA introduced last year, and as chairman of the full committee I have worked very hard for passage of H.R. 240 this year.

Mr. Speaker, Congress intended for veterans' preference rules to help veterans compete for jobs in the Federal Government and to protect veterans' rights during reductions-in-force, or RIF's. Unfortunately, the Civil Service Subcommittee has found that the benefits of the original veterans' preference laws have been eroded. Agencies often ignore or find ways to circumvent veterans' preference directives. One way that agencies do this to conduct special RIF's that are narrowly targeted to specific individuals, leaving those individuals with no opportunity to benefit from the veterans' preference or other rules that would enable them to compete to keep their jobs. This is not right.

I served on the Veterans' Affairs Committee before joining the Committee on Government Reform and Oversight. Many of our Nation's veterans have made tremendous sacrifices for the peace and freedom that all Americans enjoy today. I think it is only fair that Congress take steps to help them compete for Federal jobs for which they are qualified and to protect their rights during RIF's. All veterans have earned those rights.

Clearly, veterans' preference laws need to be strengthened in order for them to remain

effective. H.R. 240 would do this by establishing an effective, straightforward redress system for veterans. Federal officials who knowingly violate veterans' rights could be brought before the Merit Systems Protection Board and fined \$1,000, suspended, or fired. Federal agencies would be prevented from conducting designer RIFs which unfairly remove veterans' rights. Agencies will be required to establish priority placement programs for veterans who are affected by RIFs, and agencies must give veterans a preference when they rehire employees.

Anyone who is eligible for veterans' preference or has served in the Armed Forces honorably for 3 years would be eligible to compete for Federal jobs which agencies currently restrict to their own work forces or to current Federal employees. The bill specifies that members of our Armed Forces who are serving in Bosnia, Croatia, and Macedonia also will qualify for veterans' preference.

The honorable treatment of our veterans through such legislation is the least we can do to show our appreciation for the tremendous sacrifices so many veterans have made to protect the liberties of this great democracy for all American citizens.

I urge my colleagues to support H.R. 240.

Mr. QUINN. Mr. Speaker, I rise in strong support for H.R. 240 because it is the biggest improvement to veterans' preference in many years.

To me, the most important aspect is that veterans, for the first time, will be able to seek justice through the courts when they feel their preference rights have been violated—that is a landmark in veterans' preference law.

H.R. 240 prevents agencies from building artificial barriers to hiring veterans. Veterans will now be able to compete for jobs currently restricted to people with civil service status or employed by the agency. Eligible veterans will be able to have priority placement if they lose their jobs in a reduction-in-force. To discourage agencies from designing elaborate processes to avoid hiring veterans, the bill makes violation of veterans' preference a prohibited personnel practice and authorizes damages if the violation was deemed willful. Also, for the first time, veterans' preference will apply to nonpolitical jobs in the legislative branch, the White House, and certain jobs in the judicial branch. The bill will also apply veterans' preference in any reduction-in-force at the Federal Aviation Administration and make those serving in Bosnia, Croatia, and Macedonia eligible for veterans' preference.

H.R. 240 will actually improve the employment opportunities for women and minority veterans. Women now comprise about 12 percent of the Active Duty Force and minority members now make up nearly 20 percent. These groups will now have a small advantage over similar nonveterans and that is the way it should be.

Mr. Speaker, I congratulate Chairman JOHN MICA and Ranking Member TIM HOLDEN for their persistence and the way they have developed this legislation. Because they have listened to, and worked with the major unions on this bill, the unions have expressed their support. OPM, in testimony before the Civil Service Subcommittee has expressed its enthusiasm. The Veterans Service Organizations enthu-

siastically support the bill. I thank all the groups who have helped build this landmark legislation for their efforts.

Mr. Speaker, this bill is a winner for veterans, women, and minorities and I urge my colleagues to vote in favor of H.R. 240.

Mr. STUMP. Mr. Speaker, today I rise to voice my strong support for H.R. 240, the Veterans Employment Act of 1997. This is the most important improvement to veterans' preference laws in decades and I congratulate Civil Service Subcommittee Chairman JOHN MICA and his ranking member TIM HOLDEN for the excellent work they have done on this bill. H.R. 240 is a testament to Chairman MICA's persistence on this issue and I commend him.

Mr. Speaker, I believe it is important that Members understand the significance of this bill and how it affects veterans' preference. As you know veterans' preference was first passed in 1944. Through veterans' preference, wartime and disabled veterans got a small advantage competing for Federal jobs, and in promotion and retention. As a result, veterans comprise 27.6 percent of the Federal work force. But a law does not mean automatic compliance, and there are those who resent the small advantage given to wartime and disabled veterans.

Over the years, some Federal agencies have become very inventive when trying to avoid veterans' preference laws and regulations. Recently, with the pressure to downsize, agencies and hiring managers have found new ways to circumvent veterans' preference. A major reason agencies and hiring managers have felt free to pursue such tactics is that there was no real consequence for their illegal actions.

Today, the House has an opportunity to demonstrate to America's 26 million veterans that veterans' preference for Federal jobs is an important way to share the sacrifices of war. General Omar Bradley once said, "Veterans benefits are one means by which society attempts to ameliorate the tragedy of war and distribute its burdens." I concur in that assessment.

H.R. 240 has several important provisions. First, under current law, Federal agencies are able to shut veterans out by restricting hiring to those with civil service status or those already employed by the agency. With downsizing, it is routine to shut out many otherwise qualified veterans through these restrictions. H.R. 240 would change that by opening those vacancies to preference-eligible veterans and those with 3 years of honorable service.

The bill will also make it more difficult for agencies to design reductions in force, or RIFs to circumvent veterans' preference. Section two of the bill will make it more difficult to design RIFs in this way and will improve a veterans' right to transfer to another position through priority placement within the downsizing agency or at another Federal organization.

The most important provision, in my opinion, is the creation of a redress mechanism for those who feel their rights under veterans' preference have been violated. The bill provides that a veteran may file a complaint with the Secretary of Labor within 60 days of the alleged violation. The Department of Labor's

Veterans Employment and Training Service [VETS] will have the responsibility to investigate the complaint within 60 days. If VETS is unable to resolve the complaint or has not completed action within 60 days, the veteran may file a complaint with the Merit Systems Protection Board [MSPB]. The Board has 120 days to complete its work. At any time after that, the veteran may file a complaint in Federal district court.

Equally important, the veteran may seek "make whole" relief for back pay and liquidated damages equal to back pay if the violation is found to be willful. The bill also makes violation of veterans' preference a "prohibited personnel practice" and makes any individual guilty of such violations subject to disciplinary action.

For many years, large parts of the Federal Government have been exempt from veterans' preference. The bill will extend this preference to nonpolitical and non-senior executive service jobs at the White House, Congress, and much of the judicial branch. It is long past the time when Congress, the White House, and the judiciary do their part in hiring veterans.

Next, the bill will require the Federal Aviation Administration [FAA] to implement veterans' preference in any RIF. Currently, the FAA is only required to follow veterans' preference in hiring.

Finally, the bill extends veterans' preference to the troops serving in Bosnia, Croatia, and Macedonia. These fine young American men and women are on the front line in a very dangerous area and they deserve the advantages of veterans' preference.

Mr. Speaker, this bill is the most significant improvement in veterans' preference in my memory and it deserves the strong support of this House. I urge my colleagues to support H.R. 240.

Mr. BUYER. Mr. Speaker, I want to thank my colleague from Florida for working as hard as he has on this legislation. I also appreciate the cooperation we've had from our colleagues on the other side of the aisle on H.R. 240.

Veterans' preference and its implementation in the Federal work force are issues that cause me great concern. We need effective and comprehensive enforcement of preference laws and regulations.

Federal agencies have long abused veterans' preference in hiring, promotion, and retention. I view the entrenched bureaucracy as the main source of the problem. There are many hiring managers that would like to see veterans go away.

They resent a veteran's presence in an organization for any number of reasons. Maybe it's because these managers didn't serve and are embarrassed by the presence of those who did. Maybe it's because they have other diversity goals which they believe take precedence over veterans.

Our career civil servants must be made to follow the law, and their political bosses should be educated to watch closely for these unacceptable personnel practices.

The American people understand the nature of the sacrifices made for them by their veterans, and understand why veterans deserve preference—especially those disabled in the performance of their duties.



The Nation has a history of helping veterans returning to the work force and working successfully to place them in jobs, dating back to at least the post-Revolutionary War era when land grants were given in return for military service.

Veterans' preference must remain the cornerstone in hiring, promotion, and retention. Veterans' status is blind as to race, gender, age, religion, and other differences that make this Nation a melting pot. We are not arguing against diversity, but we do believe that veterans' preference must remain first among the priorities of Federal managers.

There is no excuse for hiring managers to develop ways around the hiring or retention of veterans in their employ.

Currently, there is no effective means by which a veteran may air a preference grievance, especially if the veteran is not hired. How then, are we to hold managers accountable for the provisions of law giving preference to qualified veterans?

The redress issue is at the core of the Veterans Employment Opportunity Act of 1997 and will help our veterans without harming other Federal workers.

As long as we continue to have conscientious lawmakers willing to address veterans' preference, we remain confident that we can take the corrective actions necessary to ensure its future health as a viable program for veterans who have faithfully served. I urge my colleagues to support the measure.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the motion offered by the gentleman from Florida [Mr. MICA] that the House suspend the rules and pass the bill, H.R. 240, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. MICA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill, H.R. 240.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

#### ELECTION OF MEMBER TO COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT

Mr. MICA. Mr. Speaker, by direction of the Republican Conference, I offer a privileged resolution (H. Res. 108) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 108

*Resolved*, That the following named Member be, and he is hereby, elected to the fol-

lowing standing committee of the House of Representatives:

Committee on Government Reform and Oversight: Mr. Portman.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### BIENNIAL REPORT ON SCIENCE AND TECHNOLOGY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Science:

*To the Congress of the United States:*

A passion for discovery and a sense of adventure have always driven this Nation forward. These deeply rooted American qualities spur our determination to explore new scientific frontiers and spark our can-do spirit of technological innovation. Continued American leadership depends on our enduring commitment to science, to technology, to learning, to research.

Science and technology are transforming our world, providing an age of possibility and a time of change as profound as we have seen in a century. We are well-prepared to shape this change and seize the opportunities so as to enable every American to make the most of their God-given promise. One of the most important ways to realize this vision is through thoughtful investments in science and technology. Such investments drive economic growth, generate new knowledge, create new jobs, build new industries, ensure our national security, protect the environment, and improve the health and quality of life of our people.

This biennial report to the Congress brings together numerous elements of our integrated investment agenda to promote scientific research, catalyze technological innovation, sustain a sound business environment for research and development, strengthen national security, build global stability, and advance educational quality and equality from grade school to graduate school. Many achievements are presented in the report, together with scientific and technological opportunities deserving greater emphasis in the coming years.

Most of the Federal research and education investment portfolio enjoyed bipartisan support during my first Administration. With the start of a new Administration, I hope to extend this partnership with the Congress across the entire science and technology portfolio. Such a partnership to stimulate scientific discovery and new technologies will take America into the new century well-equipped for the challenges and opportunities that lie ahead.

The future, it is often said, has no constituency. But the truth is, we must all be the constituency of the future. We have a duty—to ourselves, to our children, to future generations—to make these farsighted investments in science and technology to help us master this moment of change and to build a better America for the 21st century.

WILLIAM J. CLINTON.

THE WHITE HOUSE, April 9, 1997.

#### SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

#### LEGISLATIVE POWERS AND THE EXECUTIVE BRANCH

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Nevada [Mr. GIBBONS] is recognized for 5 minutes.

Mr. GIBBONS. Mr. Speaker, today I want to discuss something so powerful and hurtful that it cripples the economy, puts a stranglehold on businesses and farms, destroys livelihoods and families, and yet seems unstoppable. This monster that I am discussing is the power that was once granted to Congress in article 1, section 1 of the United States Constitution, which reads: "All legislative powers herein granted shall be vested in a Congress." Today, however, the executive branch of this very Government has taken control of this reserved privilege and holds it captive at the expense of American citizens.

The regulatory authority now used by these Government agencies to legislate, to create rule after rule, regulation after regulation, has begun to put a stranglehold on the western part of this country to the extent that they may never again breathe.

To illustrate my point, I would like to discuss the police powers Secretary of the Interior Babbitt and the Bureau of Land Management allegedly assume to possess. On November 7, 1996, the BLM posted in the Federal Register new law enforcement regulations. Although the BLM claims that these regulations are merely a recodification of the current regulations and do not result in the creation of "new authority," this is simply not the case. The proposed law enforcement regulations are an attempt to vastly, and in most cases unlawfully, expand the BLM's law enforcement authority by increasing the number and types of actions which may result in the violation of the law enforcement regulations and substantially increase the penalties for violation of such regulations.

The Constitution of the United States guarantees proper notice describing those actions which law enforcement agencies may subject its

citizens to criminal punishment. However, in this case, BLM has criminalized thousands of minor violations of Federal, State and local rules that previously were not criminal, without explaining the specific acts which are now criminal. The proposed regulations' vague references to "any law or ordinance" are not constitutionally sufficient, thus making the proposed regulations unconstitutional.

For example, proposed regulation section 9263.1 makes any citizen a criminal who is on Federal lands and who does not comply with all "State and local laws, regulations and ordinances relating to the use, standards, registrations, operation and inspection of motorized vehicles and trailers." The average citizen, and probably many employees of the BLM, are not familiar with the thousands of regulations that have just been elevated to criminal status. Without a specific list of the acts or omissions which would be criminal, the BLM's proposed regulations are again illegal.

The egregiousness of these actions does not stop there. The United States Constitution states that a citizen may not be placed in jeopardy twice for the same offense. These proposed regulations state that an individual who is in charge or charged with a violation by the Environmental Protection Agency can also be charged by the BLM with a violation of the Federal Land Policy Management Act. This is clearly an attempt to submit citizens to double jeopardy and thus circumvent the Constitution.

Furthermore, the eighth amendment of the Constitution states "Excessive fines imposed nor cruel and unusual punishment inflicted." The possibility that one may be fined \$100,000 for driving 1 mile an hour over a 30-mile-an-hour speed limit is certainly an excessive fine. The possibility of spending 12 months in jail for the same offense is also cruel and unusual punishment and again unconstitutional.

Yet, as we all know, Mr. Speaker, the Secretary of the Interior on March 11, 1997, released a press statement titled, "Secretary Babbitt Directs BLM to Halt Action, Go Back to the Drawing Board with Law Enforcement Regulations." However, the press release goes on to further quote Mr. Babbitt directly and states

This action does not diminish the legal authority of the BLM law enforcement officers on public land. But it is very clear that we have not done a good job of clarifying regulations and communicating BLM's legal authority under existing Federal statutes to protect health, safety and environmental resources on America's public lands.

Let me explain further, Mr. Speaker, and tell my colleagues exactly what powers the BLM is commandeering:

On July 24, 1994, a New Mexico family was on a family outing at the Santa Cruz Lake area in the northern part of

that State. After fishing and picnicking for 2 hours, the family loaded up their car and were leaving the area when they were stopped by a BLM Ranger. According to a complaint filed by the family's attorney, the BLM Ranger approached the vehicle carrying a shotgun and ordered everyone out of the car using threats of bodily harm laced with profanity. The BLM Ranger fired his shotgun at the car to show that he meant business.

The complaint continues:

Three men got out of the car and asked why they were being stopped. They asked if it was for fishing without licenses, but they were never asked for their fishing licenses. When one man and the women and children tried to leave, the BLM Ranger then maced the driver and handcuffed him. The driver's mother tried to help her son but was knocked to the ground by the Ranger who then stomped on her leg before handcuffing her.

Mr. Speaker, no longer are Americans free, but they are chained to the dictatorship. I oppose this unusual and unlawful assumption of regulatory powers.

After handcuffing the mother the BLM Ranger went back to the driver and sprayed him again in the face with mace. All this time the children were crying and the Ranger yelled at them to shut up. According to the complaint the BLM Ranger said he was going to blow their—expletive deleted—heads off.

It gets worse. When one of the men picked up one of the children to comfort him, the BLM Ranger put his shotgun to the child's head and ordered the man to put the child down. Two other BLM Rangers allegedly arrived and began waving their weapons around as well. The BLM Rangers refused to say why they had stopped the family in the first place. The adults were incarcerated and the BLM Ranger did not notify the Attorney General as they are required to do. Although records at the Santa Fe Jail indicate six adults were arrested on charges of assault and hindering a Federal employee, a U.S. magistrate released all those jailed because the BLM did not produce a written complaint and no formal charges were made. To this day the family still has no idea why they were arrested.

Remember these are Federal public land management employees, who are committing these atrocious acts. It is not the Federal Bureau of Investigation, nor the Bureau of Alcohol Tobacco and Firearms, or any other law enforcement agency.

It becomes very evident that these power-hungry bureaucracies have designated themselves unconstitutional police powers, without having proper authority or training. The agents are turning into bullies with little respect for public safety or property.

Mr. Speaker, no longer are Americans free, but they are chained to the dictatorship of bureaucratic monsters. It is time for Congress to stand up for its constitutional rights and the protection of the American people.

#### EPA OFFERS MORE REGULATIONS

The SPEAKER pro tempore. Under a previous order of the House, the gen-

tleman from Illinois [Mr. SHIMKUS] is recognized for 5 minutes.

Mr. SHIMKUS. Mr. Speaker, according to the Environmental Protection Agency, the air in this Nation is getting cleaner. Major metropolitan areas are experiencing fewer and fewer days of dirty air, and it is time to thank the EPA for a job well done. In fact, according to the EPA, in almost every major city in America, air pollution levels have been dropping. Nationally since the EPA was established, the combined total of all causes of dirty air have decreased by 29 percent. This reduction occurred even as the Nation's population has grown by 28 percent, people drove more than twice as many miles, and the economy doubled in size.

Our Nation is on the right track to cleaner air. But if you talk to the EPA, you would think the sky was falling. This agency has proposed tightening the standards for ozone and particulate matter even more. This new standard, which may take effect without congressional approval, will not clean the air faster. In fact, it will cost the American economy jobs, erode local tax bases and provide nominal positive health effects. Our Nation does not need new regulations which may force people to car pool to work and increase regulations on our Nation's industries and family farms.

Our Nation needs regulations that are based on sound science, not emotionally driven, feel-good politics. Indeed the scientific community is not unified in its support of these new regulations. While the EPA has a study that claims it can save thousands of lives with these new rules, the National Institute of Environment Health Sciences, another government agency, came to the conclusion that high rates of pollution do not increase rates of asthma. This information directly contradicts the fundamental basis for the new regulation.

In addition, the EPA's own scientific advisory board, which is made up of industry, academic and medical experts, told the EPA that its new standard for particulate matter, "does not provide a scientifically adequate basis for making regulatory decisions for the setting of National Ambient Air Quality Standards and related control of particulate matter in the Clean Air Act."

We must also ask ourselves why, when the air is getting cleaner in America, the number of people being admitted to hospitals with respiratory complications are increasing? Why is a good thing having a bad effect?

Our Nation needs regulations that do not needlessly destroy jobs. Five of the 19 counties which I represent rely on coal as a substantial part of their economies. The coal industry has been hit hard by the EPA and stands to be eliminated in southern Illinois if stricter standards are implemented.



Unemployment levels in some of my counties would climb even higher than the current 7, 8 to 9 percent that they are now. Not only would these new regulations mean more jobs lost in areas already suffering, but prices on consumer goods will go up as well. Conservative estimates on the direct cost of this regulation on Americans will be around \$10 billion every year in higher costs for cars, farm equipment, electricity, and countless products that Americans rely on every day for their well-being.

□ 1400

Mr. Speaker, as a newly elected Member of Congress, I can say that I am truly amazed and disappointed that the EPA would impose such high costs on the American people without little benefit. Our Nation's air is getting cleaner, the economy is growing, and the unemployment averages on the national level are at an all time low. Controversy surrounds the EPA studies, and all they can do is offer more regulations.

Mr. Speaker, it seems that the EPA is more interested in political agendas and self-preservation than in creating good national policy.

#### GOVERNMENT IS TOO BIG AND COSTS TOO MUCH

The SPEAKER pro tempore (Mr. LAHOOD). Under a previous order of the House, the gentleman from Texas [Mr. BRADY] is recognized for 5 minutes.

Mr. BRADY. Mr. Speaker, working Americans often ask today, "Why can't we make ends meet like our parents did? Why does it take a two-income family to provide even a basic quality of life for our families?"

President Ronald Reagan had a clear answer. Government is too big and costs too much. I would add that today we also have a government that regulates too much. Excessive regulation is a hidden tax on families and on our businesses. Compliance costs are estimated to be \$6,000 for each American household, \$6,000 in costs in regulation for American households.

If you couple taxes, if you add to it regulations, the average American worker is working until July 9 to pay all the costs associated with government. Excessive regulation crushes small business, the engine of our job creation, and today one of the most pervasive fears among America's small businessmen is that they will fail to comply with some obscure government regulation and be forced to shut down.

In 1995, President Clinton convened a conference on small business, asked them to meet in our capital. More than 1,600 attended. The No. 1 concern that they registered, they were overregulated and had too much government paperwork to comply with.

According to our Small Business Administration, the cost of regulation, of

paperwork and of tax law compliance is about \$5,000 per worker. It is even greater for smaller firms. Regulation puts a brake on our small business job creation, it puts a brake on the entrepreneurial spirit which is the promise of America.

An example of unnecessary regulation, as Congressman SHIMKUS just described, are the new proposed EPA air quality regulations that Carol Browner recently announced. They deal with ozone and particulate matter, and if adopted, these stricter standards mean that many communities that meet existing standards will be redesignated as nonattainment areas. Other communities who spent millions to control these types of pollution will be told they must now do it another way. It has no scientific basis, it has questionable benefits. The regulations though will have a dramatic impact on our families in Texas, where I live, and across America.

This new regulatory burden is an unproven, untested science experiment based on the premise that if an apple a day is good for you, then a bushel a day must be better.

Regulations have good intent, everyone supports clean air and clean water. Everything looks good on paper, but it is how it works in real life that affects you and I. The answer is to move the Federal Government closer to the customers they have served to initiate a cost-benefit analysis so we know what this costs, ensure that regulatory actions are based on sound science that we agree upon, that we have a budget within regulation that puts a ceiling on the cost of regulation to the American economy, and we have to initiate sunset review. That means put an expiration date on every regulation, on every program, on every agency, commission, and council, where they go out of existence unless they can prove their value and their worth to us today.

The bottom line is that American families and American businesses need a break from our Federal Government. We should restore common sense to our Government and remove the barriers to free enterprise and job creation. We have that opportunity in this session, and we need to take advantage of it.

#### IMPORTED PRODUCE LABELING ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. BONO] is recognized for 5 minutes.

Mr. BONO. Mr. Speaker, I sometimes get upset to a point to where I feel that I have to at least speak out, especially when I cannot do anything about it.

The situation with Mexico and NAFTA and California is basically a disaster for California, and it is abusive. It is extremely abusive, and I was

raised not to take abuse, and if somebody dished out abuse, I would always give it back, and that worked out well.

So now being here in Congress and seeing abuses inflicted on us by a country who has total disregard for our lifestyle and what we require and what we do, it rather infuriates me. But we have a treaty, a NAFTA treaty, and the way we must go about that legally to handle that is one story which I am very active on, but I consider it one of many abuses we get from Mexico.

However, today I rise for one specific, to speak on behalf of my bill to protect American consumers and produce farmers, H.R. 1232, the Imported Produce bill. This does not necessarily totally relate to Mexico, by the way, the Labeling Act of 1997. Consumers need to know the country of origin labeling. Almost every product is clearly labeled "made in China" or "made in Mexico" except the produce we eat. Every other type of food is labeled. Why not the produce?

Consumers want to know where the produce they eat is grown. Does the country of origin allow pesticides banned in the United States? Are they working under the conditions that are sanitary? Recent news stories of children being infected with hepatitis due to Mexican strawberries are a prime example of the risk imported produce can pose. Before that it was bacteria in raspberries from Guatemala. What is next?

But this is why this is not only a health issue. It is an economic issue. Since NAFTA, the total economic loss in the production of fresh winter vegetables has been nearly \$700 million. 200 farms have closed due to huge numbers of tomatoes imported from Mexico.

Without labeling, how can the consumer choose American produce over Japanese produce; how can they choose American produce over imported produce?

Anyway, I hate to read these things.

Anyway, my point is that our agriculture industry cannot compete now with Mexico because Mexico is not required to live up to the regulations that we must live up to. So therefore their product can come into our country, appear to be our product, undersell our product and cannot only be dangerous but also put industry out of business. This is another abuse that we must correct.

Most importantly, it seemed like last year I was hearing about school lunches from children that was considered the biggest travesty in the world, but now we are actually killing children with hepatitis from produce and that is sort of breezing by. I have a bill that calls for the labeling of produce. I ask that all of my colleagues support my bill when it comes to the floor.

### OUR SOARING TRADE DEFICIT CANNOT BE IGNORED

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Mr. PAUL] is recognized for 5 minutes.

Mr. PAUL. Mr. Speaker, the business cycle has not yet been repealed, but if we did the right thing in the Congress, I believe we could do a lot to alleviate the great harm done by the business cycle.

Mr. Speaker, artificially low interest rates are the culprit in the Government created boom bust cycle. Federal regulated low rates cause bad business decisions, confuse consumers and encourage debt. These distortions prompt market corrections which bring on our slumps.

In recent years the artificially low interest rates that banks pay on savings have served to reduce savings. In the 1970's savings were low because it was perceived that the money was rapidly losing its purchasing power. It was better to spend than to save. As money leaves savings accounts it frequently goes into stocks and bonds adding fuel to the financial bubble which has been developing now for over 15 years. Domestic and foreign central bank purchases of our treasury debt further serves to distort and drive interest rates below the market level.

Our soaring trade deficit is something that cannot be ignored. In January there was a negative trade deficit in goods of more than \$19 billion, the highest in our history. Our deficit has now been running over \$100 billion for several years, and the artificially strong dollar has encouraged this imbalance. Temporarily a negative trade balance is a benefit to American consumers by holding down price inflation here at home and allowing foreigners to finance our extravagance. These trends will end once confidence is shattered and the dollar starts to lose value on the international exchange markets.

The tragedy is that there are very few in Congress interested in this issue. Even on the Committee on Banking and Financial Services I hear very little concern expressed about the long term weakness of the dollar, yet economic law dictates that persistent negative trade imbalances eventually have to be corrected; it is only a matter of time.

I suspect in the next several years Congress will be truly challenged. The high level of frustration in this body comes from the fact that the large majority are not yet willing to give up the principles upon which the welfare state exists. Eventually an economic crisis will force all Americans, including Congress, to face up to the serious problems that we have generated for ourselves over the past 50 years.

I expect deficits to explode and not come down. I suspect the economy is

much weaker than is currently claimed. In the not too distant future we will be in a serious recession. Under these circumstances the demand for spending will override all other concerns. In spite of current dollar euphoria, dollar weakness will become the economic event of the late 1990's. Consumers and entitlement recipients will face the problem of stagflation, probably worse than we saw in the 1970's. I expect very few in Congress to see the monetary side of this problem.

The welfare state will be threatened, and yet the consensus will remain that what is needed is more revenues to help alleviate the suffering, more Federal Reserve monetary stimulus to the economy, more price controls, which we already have in medicine, higher taxes and protectionism.

Soon it will be realized that NAFTA and GATT were not free trade treaties, but only an international effort at trade management for the benefit of special interests. Ask any home builder how protectionist sentiment adds several thousands of dollars to the cost of a home by keeping out cheaper Canadian lumber in spite of NAFTA's pretense at free trade.

The solution to this mess is not complex. It is however politically difficult to overcome the status quo and the conventional wisdom of our intellectual leaders and the media. What we need is a limited government designed for the protection of liberty. We need minimal control over our Nation's wealth, not the more than 50-percent of government control that we currently have. Regulatory control in minutiae, as we have today, must end. Voluntary contracts need to be honored once again. None of this will work unless we have a currency that cannot be debased and a tax system that does not tax income, savings, capital gains estates or success.

Although it will be difficult to go from one form of government to another, there will be much less suffering if we go rapidly in the direction of more freedom rather than a protracted effort to save the welfare state. Perestroika and glasnost did not save communism. Block grants, a line item veto and a balanced budget amendment will not save the welfare state.

### THE ISSUE OF CAPITAL GAINS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. DREIER] is recognized for 5 minutes.

Mr. DREIER. Mr. Speaker, I rise to expand on a couple of remarks made by my friend from Houston, Dr. PAUL, and to talk about an issue which I actually have raised twice here on the floor today, once during the 1-minute, and then I discussed it during the time that I was managing the noncontroversial rule that we had for consideration of

the suspensions, and that is the issue of capital gains.

□ 1415

My friend from Texas, Mr. PAUL, said that we should have no capital gains tax, and I happen to agree with that. But frankly, we need to begin moving in the direction of no tax on capital, and I am very pleased to have introduced, with the company sponsorship of many Members, my friend in Huntington Beach, Mr. ROHRBACHER, and many others, a bill, H.R. 14. It is called H.R. 14 because it takes the top rate on capital gains from 28 percent to 14 percent. I believe that this measure will go a long way toward increasing the take-home pay of working Americans.

Many people used to say that the capital gains tax cut was nothing but a tax cut for the rich, when in fact, we knew all along that by unleashing capital we could create jobs, increase the flow of revenues to the Treasury, but recent studies have shown that we not only can do those things, but on average, the take-home pay of working Americans will increase if we reduce that top rate on capital.

One of the things that people have also said who historically have talked about the capital gains tax cut as being nothing but a tax cut for the rich, there has been a realization that average Americans are saving a little more, and they are investing in some things, and we have found that there are 63 million American families that actually own mutual funds of the 90 million some odd families. So there is clearly a broad-based appeal and potential support for reducing the top rate on capital.

I say it is broad-based because on the opening day of this Congress, I was pleased that I was joined with Democrats and Republicans to introduce this. In fact, as initial sponsors on our side of the aisle, my colleague who serves on the Committee on Ways and Means, the gentleman from Pennsylvania [Mr. ENGLISH] joined me and we had actually three Democrats who joined. The gentlewoman from Kansas City, MO [Ms. MCCARTHY]; we had the gentleman from Texas [Mr. HALL]; and the gentleman from Virginia [Mr. MORAN], three Democrats and two Republicans on the opening day were the prime sponsors of this legislation to reduce the top rate on capital.

It is not targeted; it does not have the Government going in and selecting whose investment is taxed at a lower rate than someone else's, it simply reduces across the board, cutting in half that top rate.

What will this bring about? Well, we have today probably approaching \$8 trillion of capital that is locked in because there are widows who are concerned about the prospect of selling their home or other investment because it has appreciated in value.



There are family farmers who are concerned about selling, because the capital gains tax rate is so high. There are small business men and women who very much want to sell, but they feel that they should not because that tax is so high.

It seems to me that a capital gains tax rate reduction is something that we could put into place to help ensure that we do not slip into recession. I see it as one of the best insurance policies to prevent us from going into recession.

Then as I alluded to a moment ago, the increase in the flow of revenues to the Federal Treasury which has happened every single time it has been done, reducing the top rate on capital gains in this century, would obviously, based on this empirical evidence, follow our reducing the top rate on capital.

Back in 1993 we found that if we had a 15-percent rate on capital gains, we could, over a 7-year period, increase the gross domestic product by \$1.3 trillion, create a million new jobs and generate \$220 billion in revenues to the Treasury. That comes about because we unleash that \$7 trillion to \$8 trillion that is locked in.

So a capital gains tax rate reduction is critically important in our quest towards a balanced budget, towards trying to deal with the national debt. And unlike the so-called family tax cuts that we continue to hear about, this would be permanent in that it would increase, as I said earlier, the take-home wages by \$1,500 for the average American family.

Mr. Speaker, we are up to, as of this afternoon, 118 cosponsors for this very important measure, and I would like to encourage the Speaker and my colleagues on both sides of the aisle to join as cosponsors of this very important measure.

#### SUPPORT FOR OUR NATION'S SPACE STATION EFFORT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. WELDON] is recognized for 5 minutes.

Mr. WELDON of Florida. Mr. Speaker, I rise to speak out in support of our Nation's space station effort. As most Americans are aware, we have been bending metal here in the United States and we are getting very close to putting aloft the first critical elements for the initial assembly of our space station; and as well, our international partners such as the Europeans, the Canadians, and the Japanese have invested billions of dollars in constructing their elements, and scientists all over the world, as well as school children all over the world, are looking forward to the first phases of this program.

Unfortunately, however, in the space station redesign conducted by the ad-

ministration in 1993, the Russian government was placed in the critical pathway, what we call the critical pathway for space station construction and assembly. They were put responsible with Russian tax dollars for the construction of the service module, an element that has contained in it the life support, attitude control and propulsion capabilities.

Unfortunately, the Russians have not been paying for their part of the space station. They have demonstrated to the international community that they are an unreliable partner. Indeed, they have told us five times over the past year-and-a-half, I believe now six times over the past year-and-a-half that they will be putting the money into this program and they have failed to do so. As we all know here in this body, the Russians have very, very serious internal financial problems that have been created by their transition to a market economy, and they just do not have the rubles to pay their people to build their components to the space station.

Now, the reason I rise today is to call on the administration, and in particular, I call on the Vice President, AL GORE, to rise to the occasion and demonstrate to the American people that he has the kind of leadership ability that we expect to see in a national leader like him, and to step up to the plate and explain to us how he is going to redefine the Russian involvement in this program.

I do not believe this situation calls for another redesign of the space station. We have a good design as it is, and we need to stay on schedule and we need to make sure that this program is a success. But clearly, the Russians are not going to be able to be a full participant in the way that was originally defined. The time is ripe, the time is now, for the administration to come forward and, specifically for the Vice President, who has been tasked by the President to lead our Nation's space policy, it is time for the Vice President to step forward and explain to us how we are going to keep this program on track and to make it a success.

Now, let me just make very clear that I would like to see the Russians somehow involved, but they have to be removed from the critical pathway. We cannot have this program dependent on them anymore. We need to do what we can to keep them involved. They have a lot to bring to the table in their knowledge of space flight and their engineering, but we do not want them to be in the critical flow where our space station, the international space station is dependent upon them, because they clearly do not have the money to do that.

Now, there has been a proposal brought forward to take funds out of the space shuttle program and divert it into efforts to try to come up with a new interim control module that will

serve as a fail-safe effort to make sure that this program is a success. I have very, very serious reservations about taking more money out of our space shuttle program. The space shuttle program has been cut drastically over the years. The space shuttle program has laid off hundreds, thousands of people in my congressional district, and that includes Kennedy Space Center, the home to our Nation's space shuttle, and I think it would be unwise for us to cut additional dollars out of the space shuttle program at this time.

I believe that there are other areas within the NASA budget, such as the Mission of Planet Earth Program that I believe last year had over \$1 billion of unexpended resources, and the year before that, \$600 million of unexpended resources, a program that does not have critical safety issues associated with it.

Specifically, we are not talking about human space flight here, we are talking about unmanned vehicles, unmanned satellites, studying the environment. A worthwhile program; nonetheless, a program that has clearly shown that it has extra money in it and a place where we could get the funds that we need to keep this program a success.

So again, I call on the Vice President to rise to the occasion and do the right thing and preserve our Nation's space station program.

#### AMERICA'S TECHNOLOGICAL EDGE IS IN DANGER

The SPEAKER pro tempore (Mr. LAHOOD). Under the Speaker's announced policy of January 7, 1997, the gentleman from California [Mr. ROHRABACHER] is recognized for 60 minutes as the designee of the majority leader.

Mr. ROHRABACHER. Mr. Speaker, on Thursday of next week on this floor will be a debate which will actually end in a decisive vote for the future of the United States of America. Unfortunately, the vast majority of all Americans have no idea that there is even a piece of legislation like that which will be debated in one week on this floor even working its way through the system.

There has been a blanket, overall coverup on this issue in what would be called the traditional media of the United States of America. The networks and the major newspapers have not touched this issue because they do not want the American people to know that a major decision affecting their way of life, the standard of living of their children, America's competitiveness, and the economic well-being and the national security of our country will be at stake with one vote. That is because this issue is relatively hard to understand, yet it is so vital that if the vote goes the other way, I believe this will be the first step on an escalator

down for the people of the United States of America, because it will be ending and eliminating the greatest advantage that we have had as a country, and that is our technological edge over our competitors.

The American people enjoy a high standard of living, not because we work harder than other people. People all over the world, many of them work longer hours; they are hard-working people, but yet they live in poverty. They have standards of living that we would never accept in the United States of America for even our poorest person.

What gives us as Americans the edge? What ensures us the fact that we have wealth that is created in our country that can uplift the standard of the average person? It has been the technology that our citizens have developed and produced and invented over the history of our country.

America has been a nation of yes, hard-working people, but there are hard-working people everywhere. Most importantly, we have been a nation of technology which has permitted our people to increase their standard of living, to live high and above the rest of the people of the world. Even at a time when there is international competition with countries where the people earn far less wages, we can out-compete them and we can look forward to a bright future, if we have the technological edge.

But what is happening here next Thursday is a vote on the fundamental protections of law for American innovators, for American inventors, and for the owners and developers of new technology.

We have had basically the same law in the United States of America for 200 years. Again, most people do not fully comprehend that this has been a protection granted to Americans that is different in other countries that has enabled our country to produce this higher standard of living and this great opportunity for the average person. They do not recognize that because it is little known that written into our Constitution by our Founding Fathers is a patent office and protection for inventors. That is why the inventors were in the United States of America. That is why the great creators of that technology that produced all of the wealth that enabled us to live better, that is why they were Americans.

People came here from all over the world. Americans do not have any special trait. We just have freedom and opportunity and a legal system set down by our Founding Fathers that understood the necessity of individual freedom and individual rights being respected in order for the whole of the American people to progress.

□ 1430

And now we are changing the fundamental law in a very hushed manner so

very few people know about it, the fundamental law that directs and protects the development of technology in the United States of America.

Next Thursday, on this floor, on April 17, will be a vote in which two bills will come head to head, one bill H.R. 400 and the other H.R. 811. It is a combination of H.R. 811 and H.R. 812.

H.R. 400, which I call the Steal American Technologies Act, will, if passed, open up the United States to the greatest theft of our intellectual property and our technological achievements in the history of our Republic.

It will be the equivalent of sending a message to everyone in the world to come and get our technological secrets and use them against the American people. It is as bad as that. That is H.R. 400.

That bill, what does it do? No. 1, and hold on to your seats for those of my colleagues who do not understand what is going to happen on this floor in 1 week, this is a bill that will mandate that every inventor in the United States who applies for a patent will have his or her patent published for the world to see after 18 months even if that patent has not been issued.

Now, what does this mean? From the history of our country, from the very beginning of our history, when someone has applied for a patent, when an American has applied for a patent, he or she has had the right of confidentiality, knowing that none of that information would be disclosed unless that patent was issued; and when the patent is issued, that means that person, that individual owns that technology. That has been a right for every American.

And what is happening now? Next Thursday we will vote to discard that right, that no longer, after 225 years of American history, that right, which has been a force for good in our society, will be discarded by a vote here on the floor of the House of Representatives because H.R. 400 mandates the publication of all of our secrets.

There will be no more industrial espionage. You heard about that. You have heard about people coming into the United States in order to steal our secrets. There will be no more industrial espionage because after 18 months, every bit of secret information about the development of our new technology will be sent to our worst enemies, people who want to destroy our country, people who want to destroy the American way of life, people who care not one iota for the standard of living for our people but want to pull those millions and billions of dollars of wealth into their pockets rather than see the American people enjoy the fruits of our free society.

This is almost unbelievable. It is almost beyond belief, until you hear people stand up and argue this case as if, oh, this is going to be good because ev-

erybody will know what is being developed and then we can all work together. All work together.

There are people in this world who are intent on not working together and they will be very happy to steal everything that America develops.

The second provision on H.R. 400, which will be on this floor in a week, is called reexamination. The publication angle of H.R. 400 is enough, is enough for us to say get rid of this terrible threat to the American people. But that is a future threat, I might add. Publication only affects the future technologies.

What we have discovered when looking into H.R. 400, and I did not know this until several weeks ago, there are small provisions in this bill which open up the door to reexamination, which is the No. 2 provision, reexamination.

What does reexamination mean? That means now, today, and all through our country's history, when you are issued your patent, it is your patent and there is almost nothing someone can do to challenge your right because it is your property. It has been decided upon and perhaps only one other criteria can be used to fight against it in court.

Instead, H.R. 400 opens up a panoply of options for not only our big corporations but foreign corporations and multinational corporations to go at and challenge every one of our existing patents, not only are future patents going to be published before they are even issued, so that thieves can take away our future technology, the current technology that we have that gives us billions of dollars in royalties that comes to the United States every year. These foreign corporations that are paying royalties now will have the option, instead of paying royalties, to file suit and to interfere and to act and to call for reexamination of current patents.

Finally, the last and perhaps another just as equally important provision of H.R. 400, the Steal American Technologies Act, which will be voted on in this body on the floor of the House in 1 week, is that it, again, hold on to your seats, it will obliterate the Patent Office.

That is right. The Patent Office is written into the U.S. Constitution, and it eliminates it as a Government entity and resurrects it. Resurrects it as what? A corporatized entity. Corporatized.

What does that mean? That means there will be some entity that used to be the Patent Office and now it will be corporatized, something like the Post Office, Government but not Government.

This bill mandates, for example, that this new corporate structure will have business leaders on its board of directors. Now, what does that mean? I thought the business leaders were the



ones who were going to be dealing with the patents. We are going to put the people who actually make money dealing with patents on the commanding board of directors of this company?

The board is also enabled to borrow money and the taxpayers are still on the hook. Patent examiners have been shielded for 200 years from outside influences. Patent examiners have never had a scandal. These hardworking public servants, like judges, have such power in their hands to determine who owns billions of dollars of wealth, but they have been shielded up until now from outside influences. Will they be shielded? Will they be shielded from this new corporate entity?

Let me add, there is one other thing I forgot to mention; the new corporate entity, according to H.R. 400, will be permitted to accept gifts. Accept gifts from corporations? Accept gifts from foreign companies? Accept gifts when they are making determinations about who owns what wealth in the future? What kind of effect will this have on the decisionmaking at this new corporatized Patent Office?

Mr. Speaker, this is a formula for catastrophe. This is a formula for the destruction of the American way of life, and I cannot stress it too strongly here, it is going to be voted on and the American people do not know about it. It is coming next week. There has been a lid placed on coverage in the mass media. We do not have shows on the network or in our major newspapers. They are not doing stories about this threat to each and every one of us. It is not there.

I have a piece of legislation, and the gentleman from California, DUNCAN HUNTER has a companion piece of legislation, H.R. 811 and 812, that go in exactly the opposite direction from the bill, from H.R. 400, the one I just described.

H.R. 811 is the Patent Term Restoration Act, which I have authored. Basically it restores a guaranteed patent term to the American people. If no one understands why we have to restore a guaranteed patent term, I hate to inform them, but we have already lost our right that has been with us since the founding of our country.

Our people have always had a right when they apply for a patent, no matter how long it takes for that patent to be issued, that there is still a guaranteed time period, 17 years, when someone would reap the benefit from that invention, either the investor or inventor, whoever owns that patent. That was taken away. That was eliminated by a provision that was snuck, and I repeat, snuck, into the GATT implementation legislation.

GATT 3 years ago did not require us to change our patent laws, but someone put that provision into GATT, and thus the Congress was faced with voting against the entire world trading

system or agreeing to this fundamental change in patent law. This was a betrayal of the American people in the worst way. My bill restores the guaranteed patent term. So no matter how long it takes to issue your patent, no matter who is against you, once that patent is issued the American has a right to a guaranteed patent term of 17 years.

By the way, it was replaced with something that sounds pretty innocuous, like many of the things in these bills sound innocuous. The provision that replaced our patent term guarantee was a provision that said you are going to have patent protection from 20 years from the date that you filed. However, however, 20 years, all it really means is the clock is ticking against the inventor. If it takes 10 to 15 years to get an invention patented, for the patent to issue, that patent applicant basically has lost all of that time. All of that time.

No, we do not need the clock ticking against the inventor, we need a guaranteed patent term, which has been our right. That is what my bill does. The companion bill, H.R. 812, bolsters and strengthens and makes more productive and reforms the Patent Office and strengthens our Patent Office, instead of obliterating it like they do and corporatizing it, in H.R. 400.

These bills will come to a direct head-on-head vote. My bill will be offered as a substitute. H.R. 811, strengthening the patent system, will come right up against it and there will be one vote.

Right now there is an army of lobbyists going through this town contacting Members of Congress because they are interested in how they are going to vote. Unless the American people, unless the American people contact their representative, the major influence on how this vote will turn out will be lobbyists that are paid for by huge multinational corporations, foreign corporations, and yes, even some, many, of our major domestic corporations who are in league with these multinationals.

Mr. Speaker, we can turn this around if the American people do contact their elected representatives. That will make the difference.

By the way, interestingly enough, how do we communicate if we cannot get the news media to cover the story? I have tried everything. I give these speeches. I even have a web site, [www.house.gov/rohrabacher/](http://www.house.gov/rohrabacher/). That is [www.house.gov/rohrabacher/](http://www.house.gov/rohrabacher/). I had to go to the web site. I have gone to talk radio. Thank goodness we have democracy on the air. Thank goodness we have Rush Limbaugh and Michael Reagan and others, because the regular media will not cover this story that is so vital to the future of our country.

What coverage we have been able to get through these speeches on the

floor, we have received letters, I have received letters and Members of Congress have received letters from all over the United States, from small inventors, people who are afraid.

The two most recent letters my office received, one was from a gentleman who is conducting research into breast cancer. He has made some breakthroughs but he is afraid to try to patent his discoveries. He is afraid of that because with the new H.R. 400, that would mean it would be published for the whole world to see, and he would reap no benefit from it. He is afraid, whether he should disclose what he has invented.

Another person who wrote my office is a person who has developed a new system of killing bugs. That may sound rather minimal to people, killing bugs. It is not minimal. We are pouring tons of pesticides into our environment every year, and this man has invented a new process that requires no chemicals, a new method of dealing with infestations of bugs in homes and in fields that would prevent us from being poisoned.

But he is worried. He has spent a lot of money in trying to develop this new process. He does not know if he wants to make it public through the patent system, because if he applies for the patent they will disclose this, if H.R. 400 is passed, even before he gets his patent and people will steal his process.

These are the letters coming to me: Breast cancer, things dealing with insecticides into our system. How is this going to affect our way of life? Can the Members not see just by those two examples? Who would have thought of those two examples before I said them? There are thousands of people all over this country who are inventing ways of making things better.

□ 1445

That is what Americans are all about. We are tinkerers. We are people who use our ingenuity. That is what Americans are all about. We are changing the fundamental law, and we are pulling the rug out from under them. We will make sure that the giant corporations in Japan and China and even our own giant corporations can steal from them. And when we do that, the American light of ingenuity will be put out. It will not go on. We have fostered, we have nurtured this creative genius among our people. If we change the rules in protecting their rights as individuals, that light will be put out and our standard of living will suffer.

Colleges and universities are getting the word. Throughout the United States of America we have been receiving letters from colleges and university people. People who are involved with research programs all over our country are writing and saying: You mean everything that I have been working for

will be disclosed to America's enemies if we file for a patent?

Small inventors, small inventors throughout the country have joined together to try to fight this but they are an unorganized group of people, the most unorganizable group of people I have ever seen. That is what they are, they are individualists, men and women who come up with new ideas who are hard to organize. Thus the major corporations want to steal the profit of their genius. I will have more to say on this floor a week from now.

Mr. Speaker, we have seen venture capitalists, people who put money into the inventors. All of the great inventions happen here in the United States of America: the light bulb, the telephone, the reaper, the telegraph, the airplane. We have had the great inventors. We have had the great inventors because investors have known that they would have 17 years of a guaranteed patent term to reap the reward.

The Government did not finance the research into most of these great inventions. It was done by individual investors and individual inventors, and these were the people who made the great breakthroughs. But if we pull the rug out from under them and we make their inventions public even before the patent is issued, then what is going to happen? If we take away the guaranteed patent term, there will not be investment capital. They will come to people and say we have to tax you some more. We have to have a Government program to have research for our country because you cannot rely on the private sector. You cannot rely on the private sector because they change the rules of the game.

Do we really want the Government picking out who is going to get all the research money? They are going to pick their friends. Politics and bureaucracy are going to come into play, as it was not part of the process over these last 200 years. We will become what the Soviet Union was. Do we know what that is? We will have changed the rules of the game. We will become a society aimed at collectivism versus protecting individual rights. This has been recognized.

For example, the Long Island Association of Industries is a group of 1,000 industries on Long Island who got wind of what was going on, read the legislation and they are outraged. They are outraged that the big guys are setting up the little guys, and some of the big guys happen to be multinational and foreign corporations. Amgen, a biotech corporation out in California, large biotech corporation, has put billions of dollars into research. And then this is going to be made public before the patent is issued so that all over the world they could just take what has been discovered and use it?

A solar energy company was in my office when this was breezing through

the committee. Yes, H.R. 400 has already gone through committee. The solar energy company executive said to me: "Mr. Congressman, if they pass this legislation and they publish my patent applications before I get issued the patent, my Japanese competitors will be in production of the things that I have invested in and spent millions of dollars to produce and develop and discover. And the Japanese will be producing it. And they will be selling it on the market. And they will use the profit from selling my technology to defeat me in court, these huge corporations."

Mr. Speaker, it makes no sense. H.R. 400 says, how are we going to protect these American inventors? You ask them, if you are going to publish it, their information, before they get the patent, how are they protected? And do you know what the answer is? Well, once the patent is issued, if someone is using their idea, they can sue them in court. We can imagine the Wright Brothers trying to sue Mitsubishi Corporation. So sue me. You can go over to Japan to try to sue some huge corporation or China or some of these other countries. Impossible. This is a formula for the theft of America's technology and the decline of our standard of living.

A pharmaceutical company, Allergan, pharmaceutical companies spend millions of dollars trying to develop new drugs in our country. What happens, it takes years to get through the process. If their patent is made public, they will not spend that money. No one will spend any money to develop new drugs anymore that will cure diseases for our people because they will all say why should you spend the money to develop it.

This bill, I compared it yesterday to a bouquet of flowers. When you ask these people who are supporting this bill, who are pushing this bill through the system, why they could ever support, how could you ever support a piece of legislation that would be so destructive to America's interests, that would open us up to theft internationally, do you know what their answer is? Their answer is, there are a lot of good things in this bill.

Then they will go through a list of nice little things that keeps the money in the patent office. It helps facilitate hiring new patent employees, and they will go through a list. This is very similar to being handed a bouquet of flowers. If you are handed a bouquet of flowers and somebody says look at the flowers and then you realize the bouquet that he has handed you has a bunch of snakes in the bouquet, poisonous snakes. And you ask them, are these snakes poisonous? And if that person only wants to talk about the flowers but refuses to talk about the snakes, he does not like you. He is not giving you that bouquet because he thinks a lot about you. He wants to destroy you.

What is happening is that a bouquet of flowers has been handed to the American people. There are some nice little reforms in H.R. 400. They can talk about them all day, but we do not want to talk about the bouquet of flowers. We want to talk about the poisonous snakes that will destroy our country and poison our system and kill our families. That is what we want to talk about. But they will talk about how nice the rose looks. I want to talk about why we are publishing our information for everybody to steal. But look how nice the flower is. How about talking about the daisies. How beautiful. What about this idea that now you can have all of our patents attacked, the ones that are issued. Do not talk about that.

The bottom line is, the flowers are not what is important if the bouquet is filled with deadly snakes. H.R. 400 is filled with deadly snakes and we need to talk about it. Why would anyone want a bill like this? Why? Well, Bruce Lehman, head of our Patent Office, went to Japan 4 years ago. He signed an agreement with the Japanese, the counterpart of the Japanese head of the Japanese Patent Office. He signed an agreement to harmonize, harmonize America's patent law with Japan.

Mr. Speaker, I will tell my colleagues, I believe in foreign trade and international trade. Harmonizing our laws is a good thing. As long as we are bringing the standards of America, maintaining those standards and bringing other people up to our standards, that is a good thing. Instead, their form of harmonization, Mr. Bruce Lehman, head of our Patent Office, agreed to make our system like Japan's. This is enough to shake anybody up.

Our Patent Office agreed to change our strong patent system, the strongest in the world, to make it exactly like the Japanese system. This is horrendous. This is incredible. This is something most Americans cannot believe is happening. There will be a vote on this issue. All the things I described in H.R. 400 are part of this agreement to harmonize our law. It is bringing down the level of protection in America to the level they have had in Japan. This 18-month publication, this no guaranteed patent term, this uncertain patent term, that is part of their system. And in Japan they do not invent anything. Their people are under the domination of a group of economic shoguns who beat individuals and beat the average person into submission if that person threatens the power elite in any way.

If we change our laws to be like Japan's, those economic shoguns, those economic gangsters that run that economy will be right here in the United States of America doing to our people what they do to their own people.

This law will pass, this harmonization will happen next week in a vote



unless the people of this country call their Representative and say: H.R. 400, the Steal American Technologies Act, is horrible, vote against it. If the American people do not contact their Representative, these huge corporate interests internationally have hired lobbyists to contact your Representative.

Mr. Lehman, by the way, not only agreed to harmonize our law, but he was the same guy, head of our Patent Office, who not too long ago wanted to send our entire data base for our Patent Office, the whole data base, the home computer database, every bit of information he wanted to send it in disk form to the Red Chinese. That was his plan. Some of us went crazy and we stopped him. But what he said was he wanted to do it so they will know what not to steal, they will know what not to steal.

Unbelievable. Incredible. It is sending the worst thieves in the world the combination to your safe and saying this is so you will know what safes not to try to crack. I mean, after all, they will not have to be thieves anymore, they can come in any time they want. This is what is going on. This is the threat to our way of life.

Basically we have had a group of patent examiners who are now facing a major change in their way of life. They are going to see it right away. They are all opposed to this bill. All the small inventors, people and researchers in our colleges and universities across America, Amgen, the biotech company and Allergan, the pharmaceutical company. These are people who understand what is going on. The small inventors of course, they all oppose H.R. 400; but they cannot get the word out. They are looking for allies among the American people who understand the importance of the issue that we will be deciding.

There are an army of lobbyists and they are working this issue. But the American people can win. We have won these fights before. But it takes all of us to step forward and be active.

Mr. Speaker, I believe that next week we have got a good chance of winning but we also have a good chance of losing. It can go either way, but it will be a vote. It will be one of those crucial votes that go by that no one will ever understand exactly what happened to them 20 or 30 years down the road if we go the wrong way. This is Pearl Harbor in slow motion.

This is our Government giving away our seed corn to foreigners. This is a situation where, if the Wright Brothers would have had their discovery stolen from them by Mitsubishi Corp. because our Government publicized all of their secrets, the aerospace industry would have been developed in Japan and not the United States. And all of the Americans now who have quality high-paying jobs in that industry, they would be going, they would not have those jobs.

They would say, gee, did not America used to be the No. 1 leader? The American people a generation from now will never know what hit them if we go the wrong way next Thursday.

So I would hope that my colleagues will join with me in defeating H.R. 400, the Steal American Technologies Act. Join with me in voting for the Rohrabacher substitute, which is H.R. 811 and 812.

#### THE BUDGET

The SPEAKER pro tempore (Mr. LAHOOD). Under the Speaker's announced policy of January 7, 1997, the gentleman from Oklahoma [Mr. COBURN] is recognized for the remainder of the hour as the designee of the majority leader.

Mr. COBURN. Mr. Speaker, I do agree with the position of the gentleman from California [Mr. ROHRBACHER] and will be supporting his position on the House floor.

I wanted to take a minute to address those in our country who are interested in our budget. If in fact they do not believe that a balanced budget is important, then they should not pay attention to anything that I am about to say. But if in fact they think we ought to live within our means, then I think consideration of some of the information that I am about to relate to them they will find interesting.

In 1972, our entire budget was \$241 billion. This year we will spend \$17 billion more than that on interest on the national debt alone. So what we are really faced with in our country is a threat. The threat is not very popular to talk about. The threat is not easy to focus on.

□ 1500

But, nevertheless, the threat is great, and the threat is this: If the people who work and vote in this body fail to recognize the importance of not balancing the budget, what in fact they have done is ruined the future for our children and our grandchildren.

To the seniors who would be listening who suffered through the Great Depression, who were the valiant men and women who allowed us to win World War II, they are the ones who hold this debate in their hands, the fate of a balanced budget.

For what will really happen to our children as they pay out the \$200,000 each that they now owe, both in terms of debt and interest, which does not begin to recognize the internal debt that we owe the Social Security System, from which we borrowed, actually stole, \$69 billion last year to run the Government, their living standard will be nowhere close to what we experience today. Their opportunity to have an education, to own a home, will vanish in the midst of our irresponsibility.

How big is the threat? The threat is the largest threat we have faced since

the end of World War II. It is a very subtle threat. It is one that is hard for people to get excited about, yet it will undermine the essence and the greatness of the American dream.

What do we have to do to win this battle? The first thing we have to do is recognize that career politicians from both parties are not necessarily interested in doing the right thing. Martin Luther King said in his last speech, his last major speech before he was assassinated, that cowardice asks the question: Is it expedient? And vanity asks the question: Is it popular? But conscience asks the question: Is it right? Washington has a way of avoiding the last question and running to the first two: Is it expedient? Is it popular?

It will not be popular to balance the budget. It will not be expedient to balance the budget. But it is right to balance the budget.

What is the psychology of the rationalization that we have in our country today that says we will balance the budget sometime in the future? How did we get to the psychology of saying we do not have enough money to pay our bills and it is fine to jeopardize and mortgage the future of our children because we do not have the courage to make the hard decisions that are required to eliminate that threat for our children?

What I would ask my fellow Americans to do is to think, as a grandparent or a parent, what are the most important things in their lives, and usually we will answer, our children or our grandchildren. I have an 18-month-old grandchild, and as I look at her, I look to see what possible future can she have if we fail to do the right thing, the thing that our conscience would dictate, which is not taking away their future for us now.

We hear from organizations like AARP that we should dare not touch the cost of living index, the CPI, regardless of the fact that most economists would agree that it overstates the incremental increase in the cost of living. The idea of selfishness has now displaced the concern for our children and our grandchildren.

The same thing for special interests that get funded by the Federal Government every year. There is going to be a debate in not too long on the National Endowment for the Arts. Regardless of what our feeling is on that, how can we spend money in that area when we know that our children will pay back that \$90 million three or four times what it cost because we do not have the money to pay for it?

How in the world do we justify and rationalize our ability to not do what is right? We cannot. We cannot face our problem; we cannot stand up and do the hard thing. And, unfortunately, the reason that we will not is, many people in this body are more interested in getting reelected, and their careers

and their decisions about coming back to a place of power have become more important than their children and their grandchildren. So we see greed and selfishness for ourselves is starting to displace the very unique qualities that made America great.

Alex de Tocqueville said of the American people that America is great because America is good. When America ceases to be good, America will cease to be great. I would put forth to the American public today that the way we measure our goodness, the way we measure our compassion, is by doing the right thing and doing the right thing now.

We will hear a lot of people scream and say we cannot cut certain programs, that we cannot balance the budget, that we cannot do it today. But I would put forward the belief that if we faced an external threat in this country, not an internal one but an external threat to this country, that we as Americans would rally around, we would come together and say: What do we have to do to defeat this threat? And if it required sacrifice of us all, we would make that sacrifice, we would pull together, we would demand that every aspect of our Government become much more efficient, that they would accomplish the same task with less cost and more efficiency.

The fact is, we have a subtle threat. We are not willing to address this threat, and so, consequently, we are not about to do that.

I do not hold much hope for a balanced budget because I do not hold much hope that people will make a decision based on the right things, their conscience. And I do, unfortunately, feel that too many of the Members of this body will make a decision based on cowardice and vanity, much as Martin Luther King talked about.

The only way we balance the budget is if the people of this country say we must balance the budget. So those that hear what I am saying today have to become an active part, a participant in this process. They have to demand that those that represent them make the hard choices, the difficult choices, the choices that are morally right.

It is immoral to steal from our grandchildren and our unborn grandchildren. The only way we solve this problem is for the American public, the citizens of this Nation, to demand the courage and the proper representation of their Members of Congress to accomplish this task.

#### CAMPAIGN FINANCE REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from New Jersey [Mr. PALLONE] is recognized for 30 minutes as the designee of the minority leader.

Mr. PALLONE. Mr. Speaker, the spirit of Hershey does live on, and I

would say to the gentleman that I enjoyed the time that I spent at the conference on a bipartisan basis.

My concern today, however, and I suppose in a sense this is sort of a reaching out to the other side of the aisle, is that we need to address the issue of campaign finance reform. I say this not in the spirit of trying to attack anyone or to suggest that anyone has a solution to the problem or that the problem necessarily can be decided on either side of the aisle, but the bottom line is that the Republicans are in the majority in the House of Representatives, and the Democrats increasingly, including myself, have been frustrated by the fact that we have been unable to get the Republican majority to bring up the issue of campaign finance reform either in committee, with hearings or markups, or on the floor of this House.

Many of my colleagues know that in the President's State of the Union Address he called upon the House of Representatives, both Republicans and Democrats, on a bipartisan basis, to address the issue of campaign finance reform.

Democrats have increasingly, over the last few months, requested that the House Republican leadership address the issue, again have hearings on legislation, bring the legislation up in committee, and set a deadline on when campaign finance reform reaches the floor of the House of Representatives so we could have a debate and be able to vote on a bill that most of us could agree on.

Unfortunately, that has not happened, and, as a result, the Democrats have been forced to use procedural motions, as we did this afternoon on one of the suspension bills, to raise the debate and to allow us the opportunity to discuss campaign finance reform.

Mr. Speaker, on several occasions during special orders over the last couple of months, myself and other Democratic colleagues have come to the floor to both speak out on the issue and also to talk about some of the proposals that have been put forward, many of which have been introduced, many of the bills, on a bipartisan basis. But, unfortunately, we still see no action.

I think the issue is important for a number of reasons. First of all, as I mentioned earlier today, when I returned to my district for the 2-week break that we had, the 2-week district work period, it was repeatedly mentioned to me by my constituents at every location, a supermarket, a coffee shop, wherever I happened to be, many people came up to me and said: What is the Congress doing? It does not appear to be doing anything.

The term has already been coined by the Washington Post, which on this last Monday did an editorial, calling the Congress the do-nothing Congress.

I think this editorial has already been read into the RECORD, and I will not repeat it again, but the bottom line is that we have taken up almost nothing of substance in the first 3 or 4 months of this Congress.

When I talk to my constituents, they say, well, it seems the only thing Congress does is to call upon investigations of the White House or investigations of campaign financing, but, at the same time that they are spending money on these investigations and doing subpoenas and calling for hearings about investigating finances or campaign finances out of the last November campaign, no one in the majority, no one on the Republican side in the leadership, is proposing that we move forward on campaign finance reform.

I would maintain, just based on talking with my own constituents in the last 2 weeks, that that is not acceptable. The public is really tired of hearing about all the investigations and all the problems with the campaign finance system. We all know there are problems. We know there is too much money in the system. We know that Representatives, Senators, the President and the Vice President, and everyone who is a Federal officeholder has to spend too much time raising money, which takes away from the time for them to do substantive business.

So the system cries out for change. It just cries out for change. Whether it is public financing or it is a cap on spending or it is the various proposals that have been put forward, the bottom line is that we have to address the issue. It is time for action. It is time to stop worrying about all the myriad of investigations and all the myriad charges and to simply do something legislatively to make the system work. That means campaign finance reform.

Just to throw out an example, in New Jersey we are now in the midst of a gubernatorial race, and for a number of years in my home State of New Jersey we have had a system in place where there is a cap on the amount of money one can spend, and if a candidate raises a certain amount of money through individual as well as political action committee contributions, they get public funds to match it, with the understanding that there is a cap on the amount of money that they spend on the campaign.

Now, I do not have to get into all the details of the New Jersey system, but the bottom line is, it is essentially a way of trying to reduce the amount of money spent on a campaign, trying to provide some sort of private funding either through political action committees or individuals at a certain amount, which is also capped, and then to match it with public funds. As a consequence, our gubernatorial races in New Jersey are reducing the amount of money that has to be spent.



If we look at how much is spent on a gubernatorial race in New Jersey statewide as opposed to how much is spent on a senatorial race where there is no public system of financing or no restrictions in the way that we have in spending on the State level, there is a big difference.

Really, at this point in New Jersey, it is not that difficult to run for Governor, raise the money to do so, if an individual wants to. On the other hand, it is very difficult to run for Senator because of all the money that one has to raise without any matching requirements.

So I do not want to get into the details of the specific proposals today, although I think some of my colleagues may decide they would like to, and that is fine, but the bottom line is, we are calling for action on campaign finance reform by the Republicans. They are in the majority; they have the obligation to bring up the bill, to have the hearings, to mark it up and bring it to the floor.

We suggested that that be done by Memorial Day. The President suggested it be done by July 4. In either case, it needs to be done and we need action.

Mr. Speaker, I know I have some of my colleagues joining me today, and I would like to yield at this point to the gentleman from Massachusetts [Mr. TIERNEY].

Mr. TIERNEY. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise to address the lack of direction and the absence of any agenda addressing issues of importance to the people of my district as well as the people of this country.

□ 1515

Frankly this body has been behaving as an institution so gripped by political tensions and acrimony that any action claimed as nonpolitical appears only to be a pretense. Most Americans can remember when the distinguished Congressman O'Neill from my home State of Massachusetts was the Speaker and members of both parties conversed, they met, they socialized, they civilly debated issues and they deliberated all the proposed bills and amendments and finally they voted moving an agenda forward.

What has changed, Mr. Speaker? Who has changed to make this different so that the majority now proposes bills designed not for debate, not for contemplation or improvement, not even for amendment, but only for votes along party lines that are phrased in such political terms that are so stark that they are not even faintly disguised as other than campaign hype for the next election. Again, who has changed and what has changed, Mr. Speaker, so that this is the way things are today?

People expect us to debate here. They expect us to deliberate and they want

an exchange of ideas and votes on the issues of importance to them. They want us to be dealing with campaign finance reform, with education, with health care, with Social Security and Medicare, the budget and economic growth. Our colleagues across the aisle complained when they were in the minority. Well, they are in the majority now, Mr. Speaker. Show us the leadership. Show us the fairness. Show us the good faith. Show us the nonpartisan governance. It is simply not happening. Some assert that they are not extremists on that side of the aisle, and that may be so, but check out the party-line votes and those assertions seem to lack merit. The protestations of moderation are contradicted by their party-line behavior, and their votes support the extremism and the politicization. Perhaps the greatest example, Mr. Speaker, is the committee funding. We are not here today debating campaign finance reform, as we should be, or the economy or health or education. We are not addressing campaign finance reform because we are busy dealing with the budgets for committees like the Committee on Government Reform and Oversight, where the committee chairman appears bent on orchestrating an investigation that will be without credibility. Why will it be without credibility, Mr. Speaker? Because, unlike the Senate committee dealing with the same subjects, it is going to be partisan. It is going to be more about the next election than about oversight. It is going to be limited. It is not going to be about the entire House and people running for the House or the entire Senate and people campaigning for the Senate. It is not going to be about Republicans and Democrats running for President, or the Republican as well as the Democratic party. Unlike the Senate, it is going to be focused only in a partisan manner. It is a committee that is seeking some \$16.2 million, Mr. Speaker, using \$3.2 million to investigate, using as much as \$3.8 million of the base budget to supplement that investigation, and reserving some \$7.9 million in a slush fund in case it needs more to go about its partisan limited attacks. That is \$14.9 million, Mr. Speaker, potentially for that limited partisan political investigation that will be totally without credibility and will be a partial duplication of what the Senate is doing. That Senate, Mr. Speaker, will be doing a broader, bipartisan, more objective and I suggest more credible job for \$4.35 million.

Are the majority afraid, Mr. Speaker, to investigate Republicans and Democrats who ran for the House and the way they did it? Or Republicans and Democrats who ran for the Senate and the way they did it? Or both parties? We need to know what the past practices were. We need a thorough, inclusive investigation. We are 100 days into

this session, Mr. Speaker, and there has been no campaign reform debate. We need a credible, valuable investigation that will cover all practices of all parties and all candidates. The purpose of the oversight portion of that committee, Mr. Speaker, should be to learn from the errors and the problems of the past. The goal, Mr. Speaker, should be to use that information as we deliberate proposals for campaign finance reform. We should be dealing with that business now, Mr. Speaker, so we can then address the budget, the economy, health care, economic growth and other issues in such a way that the public will not have the perception that special interests are taking charge but rather will have the confidence that we are doing the people's business.

Mr. PALLONE. I want to thank the gentleman, and I think, Mr. Speaker, we increasingly see the sense of frustration that many of those on the Democratic side of the aisle fear right now over the fact that there has been no progress in terms of the Republican leadership bringing up the issue of campaign finance reform. We are just going to continue to speak out every day until they take some action on this issue.

I yield to the gentleman from California [Mr. WAXMAN].

Mr. WAXMAN. I thank the gentleman for yielding.

Mr. Speaker, there is an important reason why the House of Representatives and the Congress ought to investigate campaign finance abuses. Such an investigation is perfectly legitimate. But the one that is about to be conducted in the House is not legitimate. That investigation by the Government Reform and Oversight Committee is now on a path to a very partisan investigation. I believe if we are going to look at campaign finance abuses, we ought to look at the whole spectrum of how this system supposedly works. We ought to find out what has been going on at the White House but we also ought to understand what has been going on here in the Congress. The scope of the investigation ought to be to look at all of these matters, because the only legitimate purpose of an investigation is to lead to campaign finance reform.

It is this system that is driving Members of Congress and candidates for President to go out and raise money. They are constantly out raising money and not doing the job of representing the people. We need to understand how this system has brought us to the point where we are today.

When we meet tomorrow on the Committee on Government Reform and Oversight, we are going to, for the very first time, discuss our committee's investigation. We have never had a meeting to discuss it. We are going to have a vote on the scope of that investigation. The chairman, Congressman DAN

BURTON, has suggested that the scope be only limited to President Clinton.

Can anyone believe that that is not a blueprint for a partisan investigation, a partisan witch-hunt? There is no reason for the Congress of the United States to use millions of dollars of taxpayers' money to pursue a partisan agenda. The only legitimate investigation, in my view, is to try to lead to reform and to understand how to accomplish that reform.

We have another important issue that is going to be coming up in our committee tomorrow, and that is the question of issuing subpoenas and disclosing confidential information. There has never been a committee of the Congress, to my knowledge, that has ever let one person, even the chairman, unilaterally issue subpoenas. Subpoenas have always been issued either by concurrence with the minority or a vote of the committee. The investigation is not the chairman's. The investigation is the committee's.

For that reason, we are proposing that the rules under which our committee operates protect the interests and the accountability of the Members for this investigation. If we do not issue the subpoenas in that committee and it is simply the chairman, how do we answer for it? And if the chairman is issuing them alone, how do we know it is not just his staff issuing subpoenas? This is important, because when a subpoena is issued to someone, they have to go out and hire an attorney. They are facing possible criminal sanctions for violation of that subpoena. They have got to worry that they are not going to comply in a precise way. I cannot tell you how many people have told me if they are the subject of a lawsuit, they get a little knot in their stomach of anxiety.

Can you imagine what it means for an ordinary citizen to be issued a subpoena by a committee of the Congress on a highly charged political investigation as we are now seeing conducted? In the Senate of the United States, there is a similar investigation on campaign finance in the committee chaired by Senator THOMPSON. In that committee, he is operating under a scope that will look at all campaign finance issues, and he is conducting himself under the traditional rules of all committees where the chairman issues subpoenas only with the concurrence of the minority or a vote of the committee. He is taking the same view when it comes to releasing confidential information. Yet Congressman DAN BURTON, the chairman of our committee, thinks he alone should be able to release confidential information whenever he sees fit.

We are talking about releasing, unilaterally, virtually all documents given to the committee. These documents were given to the committee, not to one member but to the com-

mittee itself. And we are talking about confidential financial records, trade secrets, medical histories, the identity of FBI informants, and privileged attorney-client communications. There may be times when such information should be released, but that decision should not be in the hands of one person alone, even if he is the chairman of the committee.

I am using this occasion to alert the Members to the fact that a very crucial decision is going to be made by the Committee on Government Reform and Oversight tomorrow. If we accept the protocol the chairman is setting out for us, we are going to be on a path of a partisan investigation which serves no legitimate purpose.

Why do we need to change the rules and let the chairman have this power? No one has explained to me why that is the case. By tomorrow, the chairman will have unilaterally issued around 100 subpoenas. Members of our committee are here today, and they are going to speak on this issue, but they are members of the committee and they have never been consulted about issuing these subpoenas. People have called me, and maybe them, asking how such a subpoena could have been issued. We do not know. And we do not think it is right. No one person should have that kind of power. Power concentrated in that way is an invitation for abuse, and I do not think we ought to give Chairman BURTON that option which may be too attractive to him and to his staff for them to abuse.

So when we meet tomorrow, we are going to propose a bipartisan investigation. Why should this be partisan? It ought to be something done both with the Democrats and the Republicans working together, just as in the Senate they are working together under rules that they have agreed to on a bipartisan basis to conduct this investigation that they are conducting.

From my point of view, I do not see any reason why there ought to be two separate investigations. I do not know why there is a Senate investigation and a House investigation and other committees are conducting parallel investigations on parts of the campaign finance issues. Can you imagine the amount of money that is being spent, in fact wasted, when the House is paying for a separate investigation than what the Senate is doing?

We had joint House-Senate investigations in the past. I think it makes a lot of sense for us to do one now. But not only is the taxpayers' money being wasted in the funding of these investigations, but when an agency gets a subpoena from the House and the Senate and different other committees, they have got to stop everything they are doing and devote staff time and resources to comply with the requests for information, and they are wasting money by the multiplicity of committees that are asking them to comply.

Mr. Speaker, I alert my colleagues that now is the time, if we are going to have a fair and bipartisan investigation, to get the ground rules straight. I hope tomorrow the members of the committee will go along with the suggestions that were adopted 99 to 0 in the Senate and ought to be the blueprint for our investigation in the House.

Mr. MILLER of California. Mr. Speaker, will the gentleman yield?

Mr. WAXMAN. I yield to the gentleman from California.

Mr. MILLER of California. I want to commend the gentleman for the position that he and a number of his members on the Democratic side of the committee have taken. I only wish it would be taken by the entire committee, by the chairman, and by the leadership of the House.

One of the things that is becoming very clear, as we watch your investigations and others get under way with respect to the White House and the whole question of campaign finance reform and what happened in the last election and the incredible amounts of money, is that we do not have a lot of credibility with the public on this issue.

□ 1530

They really do believe that in some cases the fox is guarding the hen house here. The only way that we can start to reestablish that credibility is with a complete, comprehensive, and a bipartisan investigation.

One of the finest hours in terms of the public's understanding of the Congress and appreciation for the Congress was in the Watergate investigations, which were done, in fact, on a bipartisan basis because what was at stake was, in fact, the very institution of the Presidency, of the separation of powers, and of our democratic institutions.

I would suggest to the gentleman from California, and I would suggest to Chairman BURTON, and I would suggest to the Republican leadership that no less is at stake here. No less is at stake here because what we have seen is, in this last campaign in action, by the White House, by the Republican National Committee, by the Dole committee, by the Democratic National Committee, by Members of Congress, what we have seen is that we have essentially lost the confidence of the American people. That becomes very clear in any sampling done of the American public.

There is no substitute for a bipartisan, comprehensive investigation into irregularities with respect to this, into the legalities of various activities, into the ethics of these activities. If we fail to do that, whether or not you can pin somebody's hide to the wall or not will not resonate with the public in terms of whether they believe we have done the kind of investigation, whether we have really cleansed this system of



what I believe is such a corrosive level of special interest money that it is now distorting the processes by which this institution arrives at conclusions and I think is undermining our democratic institutions.

I would hope that when the gentleman starts his hearings tomorrow and the committee deliberates this, that there would be some fundamental understanding by the Republicans that this is larger than their party or our party, this is about the survivability of this institution in terms of the confidence of the American public, and that is very important.

That is very important because when this is all said and done, we have a lot of other issues where, if we do not have some level of confidence with the American public, the decisions about tax relief or the balanced budget or Medicare or Social Security were made without the corrosive influence of special interest money, then we are going to have a lot of trouble in terms of the future of this country and the future of this institution being able to make those difficult and tough decisions that are so necessary to our future.

And I just want to commend my colleague from California for his tenacity in this argument. I can appreciate that it appears that, this is simply prepared to overwhelm you, they are prepared to go on with business, as they view, as usual. And I want to thank the gentleman on behalf of one that serves in this institution and one who tries to represent to his constituents the democratic process in this institution for your efforts to try to balance out this investigation so that when we are all done, we can be clear with the public that we have done our very best, that we have been the fairest we can possibly be, that we have been bipartisan and we have arrived at some support and conclusion.

I want to thank the gentleman for his efforts.

Mr. WAXMAN. I thank the gentleman for his kind words.

This investigation is too important to play petty politics with. I think that the American public is thoroughly cynical about the role of special interest money and the way the candidates run after that money. We have got to reform the system.

This is an opportunity for us to understand the system, where it has been abused, where illegal actions have taken place, if any. But there are a lot of legal actions, as we all know, within the campaign finance area now, particularly with the opening of loopholes for soft money and independent expenditures, that are perfectly legal. Some of the most scandalous activities, I think, are some of the most legal activities in the campaign finance area.

The Speaker of the House, NEWT GINGRICH, spoke to a group the other

day, and he said that he wants a thorough investigation about whether a foreign government is trying to influence American elections. How can you have an investigation about whether foreign governments may be trying to interfere in our elections but only for the Presidency, not for the Congress? If that is an important issue, let us put it all on the table. There are other members of my committee.

Mr. PALLONE. Mr. Speaker, I know the gentleman wants to be kind, but I have to say that, you know, the ultimate irony in this whole idea of foreign governments is that, and one of the reasons that I believe that the chairman of your committee, the gentleman from Indiana [Mr. BURTON], is not willing to open this up to include the House, both Democrat and Republican, and the Senate, is because he himself has been under investigation.

There have been allegations, as you know, that he in fact—

Mr. WAXMAN. Let me reclaim my time and just tell the gentleman, I hope he is incorrect, and I want us to work on our committee in a bipartisan basis and to go forward together legitimately to understand the system, find abuses, hold them out to public scrutiny, learn how to reform the system that no one, I think, can defend.

I know that there are members of my committee here that have taken out this opportunity for Special Orders.

Mr. TIERNEY. Will the gentleman yield?

Mr. WAXMAN. I am not going to yield to the gentleman. I will yield back my time to the gentleman from New Jersey and hope that he will yield to the other members of the committee that are here and others on our side of the aisle who want to express their views.

But I thank the gentleman for taking this opportunity on the House floor so that we can alert the public as to what is going on.

Mr. PALLONE. What I would like to do, with the indulgence of my colleagues, Mr. Speaker, is if I could yield back my time with the understanding that the Chair will grant that time to the gentleman from Massachusetts [Mr. TIERNEY].

#### CAMPAIGN FINANCE REFORM

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman from Massachusetts [Mr. TIERNEY] is recognized for the remainder of the hour.

Mr. TIERNEY. Mr. Speaker, I would like to yield at this time to the gentleman from Illinois [Mr. DAVIS].

Mr. DAVIS of Illinois. Mr. Speaker, I thank the gentleman from Massachusetts for yielding.

Our Founding Fathers, the authors of our Constitution, created something that the world had never seen, a representative government based on the

popular election of the legislative and executive branches. It was a powerful idea whose time had indeed come.

Based on the study of the most advanced ideas of that date, it has taken us now more than 200 years to extend those basic ideas to include all of the people in this country, black, white, Hispanic, Asian, Native American, men and women; and I would like to add rich and poor to the list.

But, unfortunately, our democratic system has been attacked by a virus of virulence that our Founding Fathers could never have imagined, money. By some estimates, our last national elections cost \$2 billion. And according to a study by the Center for Responsive Politics, 9 out of 10 U.S. House races were won by candidates who outspent their opponents in the election, and in nearly 40 percent of the House races the winner outspent the loser by a factor of 10 to 1 or more.

In competitive races, House candidates are spending 50 percent more in real terms on TV and radio advertising than they did 20 years ago at the time of Buckley versus Valeo. Thirty years ago, the average sound bite on the TV news was 42 seconds. By 1992, that bite was trimmed to less than 10 seconds. Literally, money talks, and because money talks, and when it talks it drowns out almost all other political discourse, money has distorted, corrupted, and perverted our political system.

It is time to get back to the basic democracy of Benjamin Franklin, Elizabeth Stanton, Frederick Douglass, Susan Anthony, and Martin Luther King. We are past the time for halfway and halfhearted patches on the system. Belief that this closure alone will remedy the problem is akin to belief in the tooth fairy. Solving the problem by just regulating soft money is about as likely as expecting pigs to fly.

I believe that the basic principles of campaign reform, at a very minimum, should be these:

First, take money out of the equation; finance all Federal campaigns through voluntary full public funding; amend the Constitution to prohibit Federal candidates from using private funds; provide voters with enough unfiltered information to make informed choices; open up television, radio, and other media for a discussion of the issues by the candidates; shorten the election cycle; create a truly independent regulatory agency to monitor and make public the spending of public campaign moneys; require paid lobbyists to publicly report who and when they lobby; create universal voter registration; encourage experimentation with mail and electronic ballots and multiple day elections; require full disclosure of all independent expenditures.

The fact that most Americans indicate that they have lost confidence in

the functioning of our democratic elections and that most do not vote should be both a warning and a summons to action. The time to act is now, before the American public continues to erode its faith in our democratic process.

Mr. TIERNEY. Mr. Speaker, I reclaim my time. I want to thank my colleague from Illinois and state, as a member of the Committee on Reform and Oversight, I would much rather be joining my colleagues debating and deliberating the issues you address than going down the avenue we are taking or seemingly going to take tomorrow.

At this time, Mr. Speaker, I yield to my colleague from New York, Congresswoman MALONEY.

Mrs. MALONEY of New York. Mr. Speaker, the Committee on Government Reform and Oversight will soon vote on whether to hold a serious campaign finance investigation or to hold a narrowly focused, partisan, wasteful charade. The chairman of that committee has begun a blatantly partisan investigation of the White House to embarrass the President. He proposes, he has an unprecedented proposal, and that is to limit the scope very narrowly only to the actions of the executive branch officials and only to the Presidential election. Doing so, limiting it only to the 1996 Presidential campaign and the executive branch, means it will focus only on the Clinton campaign and executive branch officials, means it will be only democratic violations that will be looked at.

At the very least, if the chairman was serious about studying campaign finance violations, they would look at both campaigns; they would look at both the Democratic and the Republican campaigns. There have been published abuses in the Dole campaign and the Clinton campaign. We should study both campaigns if we are serious about finding solutions.

Likewise, it should be expanded to cover the Congress, both branches, in the Senate campaigns and the House campaigns, if you are really looking at finding what is wrong with the system and trying to change it and make it better.

The chairman plans to use \$15 million for his investigation. That is three times more money investigating the President than the Senate is spending to investigate both the President and the Congress. That makes absolutely no sense, and it is wasteful.

Mr. Speaker, the chairman has significantly broadened his own powers. He has issued more than 100 subpoenas without the committee's approval. Furthermore, the chairman is seeking unilateral authority to release the documents that he obtains by subpoena. The Senate, on the other hand, the Republican Senate, on the other hand, has voted unanimously and endorsed a bipartisan investigation of both Presidential and congressional campaigns

regardless of party. They are looking at issues, not at politics.

Led by Senator FRED THOMPSON and the Republican leadership, the Senate is charged with an investigation of both illegal and improper campaign finance practices during the past election. The scope is well defined and entirely appropriate to serve the public interest and to understand the full range of abuse. However, the House investigation which the chairman is proposing is not. The chairman's blanket authority to unilaterally issue subpoenas and release documents is without precedent.

I want to state, Mr. Speaker, that this is the view that has been taken by all the good government groups. They are all criticizing the proposals that the Republican chairman has before the committee tomorrow: Public Citizen, the League of Women Voters, Common Cause, NYPIRG; they have all come out in opposition to this.

□ 1545

The Perot party has come out in opposition to this. This is not partisan opposition; this is good government, commonsense opposition.

Mr. Speaker, I would like to quote from Common Cause: "This issuance of a formal subpoena is a serious matter subject to great potential abuse."

They go on, and I quote, "It is inappropriate for a committee chairman to have the unchecked authority to unilaterally issue a subpoena which could be intended to harass, to embarrass, or oppress the other party."

Deans of this House on both sides, and the gentleman from Pennsylvania, Mr. Clinger, I served with him, a Republican who was the chairman of this committee, he would never, never do anything like this. I heard both Mr. Clinger and the gentleman from Michigan [Mr. DINGELL] on our side of the aisle say that the best legislation is legislation that is bipartisan, that is thoughtful, that is intended to help public policy.

The proposal that the Republican chairman is putting forth before the committee, according to Common Cause, Public Citizen, the League of Women Voters is unprecedented, wrong, anti-Republican, anti-Democrat, anti-good government, anti-common sense, wasteful, and should not be done.

I would like to caution all Members of this body on both sides of the aisle that everyone should think very carefully before they would vote for a proposal that absolutely the entire country seems to be opposed to except the chairman of this particular committee. I hope everyone will read the documents he is putting forward and read the statements of the groups that have come forward in opposition.

Mr. Speaker, I am entering into the RECORD the statements of Common

Cause, Public Citizen, NYPIRG, the League of Women Voters, and other government groups that have uniformly and with great force come out in opposition to the proposal that the chairman, Republican chairman, is putting forth.

STATEMENT BY TOM ANDREWS, NATIONAL PROGRAM DIRECTOR, CITIZEN ACTION—NEWS CONFERENCE, APRIL 7, 1997

When it comes to the way political campaigns are financed in this country, Americans have two fundamental beliefs: 1) they are disgusted with the way things are and 2) they are highly cynical about the prospects of politicians cleaning it up.

Incredibly, it is possible that the House Committee on Government Reform and Oversight may exclude from its investigation into campaign fundraising practices illegal or improper campaign fundraising by members of Congress. Apparently Chairman Burton would like to restrict the scope of his Committee's work to only one party by probing only into the White House and the Democratic National Committee. Apparently we are to believe that there is nothing to worry about when it comes to any other politician's fundraising practices—certainly not the U.S. Congress.

In light of how disgusted Americans are with politics as usual, Chairman Burton's move needs to be entered into Ripley's Believe it Or Not. It is unbelievable that a House Committee would actually vote to begin an investigation of the campaign fundraising practices of politicians by systematically excluding the U.S. Congress. I know how out of touch some politicians can become from real people but you would have had to have traveled to Mars for the Congressional recess not to know how angry people are with big money in politics and how disgusted they will be with any investigation that attempts to sweep the truth under the rug before it even begins.

The issue here is clear. The Senate voted unanimously to open up their investigation to the entire campaign fundraising problem as it relates to all Washington politicians. To do anything else on the House side will render their investigation at best incomplete and, at worse, a partisan hatchet job that exhibits what Americans have come to hate most about politics.

The vote on this issue will become a marker for members of the Committee. Those who vote against a complete and fair investigation that includes Congress as well as the White House, will clearly identify themselves as a major part of the problem. Because every politician has learned to talk a good game on this issue, this vote will be very useful for citizens to know which side their member of Congress is really on when it comes to cleaning up our political system.

Every member of the committee needs to know that you can run but you cannot hide on this issue. Your vote will be counted and you will be held accountable. There is no excuse for anything less than a full and fair investigation of the mess and the scandal of the role of big money in our political system. Any member who votes against such a full investigation can expect to be asked by their constituents at home: "What do you have to hide?"

People are tired of the excuses, the inaction and the partisan manipulation. They want and deserve to have a democracy taken back from the monied special interests that bankroll candidates and returned it to its rightful owners—the American people.



STATEMENT BY BECKY CAIN, PRESIDENT, LEAGUE OF WOMEN VOTERS OF THE U.S.—APRIL 8, 1997

CALLING ON THE HOUSE COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT TO BROADEN THE SCOPE OF ITS CAMPAIGN FINANCE INVESTIGATION

Good afternoon, I'm Becky Cain, President of the League of Women Voters.

We are here today to call upon the House Government Reform and Oversight Committee to conduct a fair and comprehensive investigation into campaign finance practices. We are deeply concerned that the committee is poised to head in the wrong direction, to conduct an investigation that will not have the confidence of the American people.

Last month the Senate voted to expand the scope of its probe into campaign finance to include presidential and congressional fundraising practices, both illegal and improper. That vote was unanimous. Senators understood that if their investigation was to have any credibility, it had to include congressional as well as presidential fundraising practices. They understood that the investigation had to be conducted with fair procedures.

Here on the House side, however, we face a very different situation. The chairman of the House Committee on Government Reform and Oversight has insisted on excluding Congress from the House investigation. This simply is unacceptable.

On Thursday, the full committee will vote on a "protocol" to guide the House investigation. We call upon the committee to vote for an investigation that explicitly includes Congress in its scope. We call upon the committee to vote for procedures that ensure fairness.

Simply leaving the scope undefined is not an acceptable option. The chairman has made abundantly clear his desire to strictly limit the scope, so the committee must make explicitly clear that the Congress is included.

If the House investigation is to have a dime's worth of credibility, members must send the chairman a simple message: expand the probe to include Congress, and adopt fair procedures. The Senate investigation provides a good model.

Under the chairman's proposal, members of the committee will be voting to exempt their own fundraising practices from investigation. Members of the committee who do not demand and vote for an expanded inquiry will be putting themselves beyond the reach of the probe. Congress must not exempt itself from investigation. Congress isn't supposed to be above the law. How can members of Congress exempt their own campaign fundraising from investigation? The American people won't buy it.

Anyone who believes that campaign finance abuses are limited to one branch of government simply isn't reading the papers these days. The system is a mess and needs to be examined from top to bottom.

An investigation focusing solely on presidential fundraising activities will be seen for what it is, just one more political game. Instead, Congress must be included in the House investigation.

Members who think that this vote will slide under the radar, think again. The New York Times reported today that nearly nine out of ten Americans said that hearings should investigate the fundraising activities of both parties. In voting to exclude Congress, the committee acts in defiance of the public's clear desire for a fair, bi-partisan investigation.

The decision lies in the hands of Republican moderates on this committee. Their votes will decide whether the House will conduct an investigation that is credible and fair. Their votes will decide whether the investigation goes after wrongdoing wherever it can be found. By voting for the chairman's proposal, these moderates would guarantee a continuation of the partisan games that have characterized the debate on campaign finance for too long.

We are relying on moderates like Chris Shays, Connie Morella, Steve Horn and Tom Davis to do the right thing.

Local Leagues are taking action and calling on their members who serve on this committee to stand up for a fair investigation.

The Senate faced this same question and voted for a comprehensive investigation that looks into illegal or improper activities in connection with 1996 federal election campaigns, congressional as well as presidential. There is no good reason for the House not to do the same. We believe that members of this committee understand the importance of voting to broaden the scope of the House investigation. We trust they have the will to vote with their convictions.

Thank you.

STATEMENT OF ANN MCBRIDE, PRESIDENT OF COMMON CAUSE, REGARDING THE UPCOMING COMMITTEE VOTE ON THE HOUSE GOVERNMENT REFORM AND OVERSIGHT COMMITTEE'S INVESTIGATION INTO CAMPAIGN FINANCE ABUSES IN THE 1996 ELECTIONS

On Thursday, members of the House Government Reform and Oversight Committee are scheduled to decide whether they will spend the almost \$4 million in taxpayer funds the Committee has been allocated to conduct a partisan sideshow or a thorough, complete investigation of the campaign finance mess in Washington. The campaign finance abuses and violations in the 1996 elections represent far too serious a crisis of American democracy for this Committee's investigation to be used for partisan game playing.

The American public simply will not trust an investigation that gives one party a free ride. A New York Times/CBS poll published today found that 9 out of 10 Americans want these hearings to investigate the fund-raising activities of both parties.

Any congressional investigation of campaign finance practices to be conducted by the House Government Reform and Oversight Committee must be comprehensive, fair and bipartisan. Only an investigation which is comprehensive, fair and bipartisan will have public credibility.

To be comprehensive and bipartisan, the Committee must look at fundraising improprieties and possible violations of law by both the presidential and congressional campaigns as well as by executive branch officials. Excluding congressional campaign finance practices, as Chairman Burton proposes, means the Committee will see only a partial picture of the abuses with the existing campaign finance system. Among the activities missed will be the growing soft money fundraising and spending practices of the party congressional campaign committees, the influence and access provided to special interests and their lobbyists for campaign money, the use of non-profits for partisan political activities and the misuse of so-called independent expenditures by party committees in congressional campaigns. Any credible campaign finance investigation must include these and similar very serious practices.

Further, should the Committee narrow its scope to wrongdoing by only executive branch officials, and not by both 1996 presidential campaigns, it will fail to consider possible serious violations by the Dole campaign. Common Cause laid out last October in a letter to the Justice Department how both the Clinton and Dole campaigns also violated the applicable spending limit and misused soft money. In order to be bipartisan, the investigation must examine both campaigns.

The Committee hearings also must be scrupulously fair. Fairness will be insured only if the Committee follows congressional precedents for investigative procedures, and gives minority members a voice in the investigation. Chairman Burton has proposed giving himself apparently extraordinary powers including unilateral authority to issue subpoenas and make public disclosures of investigative documents without prior consent of, or even notification to, the ranking minority member.

The issuance of a formal subpoena is a serious matter, subject to great potential abuse. While a ranking minority member should not be allowed to block a subpoena in order to obstruct an investigation of abuses by his party, it is also dead wrong for a committee chairman to have unchecked authority to unilaterally issue a subpoena.

If the Committee does not conduct its investigation in a manner that is—and that appears to be—comprehensive, fair and bipartisan, then not only will the House have squandered an important opportunity to understand the nature of this crisis in order to correct it, but the House majority will be seen by the American people as attempting to gain short term partisan profit at the expense of acting responsibly to address and solve these very serious problems.

The American people will be watching what happens in the Government Reform Committee on Thursday. Each member who serves on the Committee bears personal responsibility to stand up and be counted: To vote to ensure that both presidential campaigns as well as congressional campaigns are covered, and that the Committee's procedures are bipartisan and fair.

#### U.S. PIRG URGES HOUSE COMMITTEE TO BROADEN CAMPAIGN INVESTIGATION

The U.S. Public Interest Research Group (PIRG) today joined other reform organizations in calling on the House Government Reform and Oversight Committee to broaden the scope of its investigation into campaign finance reform practices. PIRG urged the Committee to include both Congressional and Executive Branch fundraising, as well as both improper and illegal activities, in its investigation. The Committee, chaired by Rep. Dan Burton (R-IN), has to date not decided to hold a broad investigation that includes congressional fundraising practices, in sharp contrast to the investigation of the Senate Governmental Affairs Committee, chaired by Sen. Fred Thompson (R-TN). The House committee will vote on the protocol for its investigation this Thursday, April 10th.

"Limiting this investigation is like wearing dark glasses to look in the shadowy corners of a dark house. Unless they turn on the lights, the committee will miss a huge part of the problem: fundraising practices in Congress itself," said Bill Wood, democracy advocate with U.S. PIRG. "We urge the House Committee to, at a minimum, rise to the level of the Senate investigation, and use their authority to illuminate all kinds of

problems in our current political fundraising system," he continued.

#### REPUDIATE REPRESENTATIVE BURTON'S ONE-SIDED INVESTIGATION INTO CAMPAIGN FINANCING CONSUMER GROUP ASKS HOUSE MEMBERS

WASHINGTON.—Citizen Action, the nation's largest independent consumer watchdog organization, today called on the House Government Reform and Oversight Committee to vote for a full investigation of all illegal and improper campaign fundraising activities by both political parties, by the White House and Congress.

Citizen Action blasted the effort by Rep. Dan Burton (R-IN) to conduct a narrow investigation that only includes the White House and Democratic National Committee, but excludes fundraising activities by Members of Congress.

Joining with the League of Women Voters and other organizations supporting campaign finance reform at a press conference this afternoon, former Congressman Tom Andrews, Citizen Action National Program Director, declared, "In light of how disgusted Americans are with politics as usual, Chairman Burton's move needs to be entered into 'Ripley's Believe It Or Not'. It is unbelievable that a House Committee would actually vote to begin an investigation of the campaign fundraising practices of politicians by systematically excluding the U.S. Congress," continued Andrews.

"It seems that Chairman Burton would like to restrict the scope of his Committee's work to only one party by probing only into the White House and the Democratic National Committee. Apparently we are to believe that there is nothing to worry about when it comes to any other politician's fundraising practices—certainly not the U.S. Congress.

"I know how out of touch some politicians can become from real people but you would have had to have traveled to Mars for the Congressional recess not to know how angry people are with big money in politics and how disgusted they will be with any investigation that attempts to sweep the truth under the rug before it even begins.

"The issue here is clear. The Senate voted unanimously to open up their investigation to the entire campaign fundraising problem as it relates to all Washington politicians. To do anything else on the House side will render their investigation at best incomplete and, at worst, a partisan hatchet job that exhibits what Americans have come to hate most about politics.

"The vote on this issue will become a marker for Members of the Committee. Those who vote against a complete and fair investigation that includes Congress as well as the White House, will clearly identify themselves as a major part of the problem. Because every politician has learned to talk a good game on this issue, this vote will be very useful for citizens to know which side their member of Congress is really on when it comes to cleaning up our political system.

"Every member of the Committee needs to know that you can run but you cannot hide on this issue. Your vote will be counted and you will be held accountable. There is no excuse for anything less than a full and fair investigation of the scandal that is the role of big money in our political system. Any Member who votes against such a full investigation can expect to be asked by their constituents at home: What do you have to hide? And there will be no excuse for anything less than action that will take our po-

litical system away from the monied special interests and returning it to its rightful owners—the American people," concluded Andrews.

#### REFORM PARTY DEFENDS PUBLIC'S RIGHT TO KNOW—JOINS COALITION URGING BROAD BRUSH IN CAMPAIGN FINANCE INVESTIGATION

"Citizens will not look kindly on an investigation that is artificially restricted to prevent political damage," states a letter mailed today to members of Congress. The letter represents the interests of millions of Americans in getting to the bottom of campaign finance abuses, once for all.

The Reform Party has joined five citizen action organizations, urging the Government Reform and Oversight Committee of the U.S. House of Representatives to approve a protocol for their investigation of campaign finance abuses that is fair and bi-partisan in its scope. The other organizations include the League of Women Voters, U.S. Public Interest Research Group, United We Stand America, Public Campaign and Public Citizen.

Addressing the members of the Government Reform and Oversight Committee of the Congress, the letter urges them, as they vote on the protocol establishing the scope and procedures for their investigation, to "...broaden the scope of the investigation to include the fundraising practices of both parties' presidential and congressional campaigns." The Senate has set a precedent for such a move by voting to broaden the scope of their own investigation to look at presidential and congressional fundraising, both improper and illegal.

"The notion that the Committee's investigation should exclude congressional fundraising practices smacks of a self-serving disregard for the public's right to know," the letter states. "In addition, it is imperative that the investigation be conducted in a fair and non-partisan manner. Procedural rules that put one party or the other at a distinct disadvantage will cast doubt on the integrity of the investigation. Scope and procedures that are anything less than comprehensive and fair will completely undermine the credibility of the House investigation from the outset."

Reform Party Chairman Russell Verney says, "Every day, the public trust is further eroded by more news of possible improprieties and even illegal acts in both presidential and congressional fundraising, from the selling of access in exchange for big campaign contributions to the use of federal property for fundraising. We're looking to the Congress to do the people's business and conduct the fair, nonpartisan investigation the situation demands one that digs deep and lays out the truth, no matter what it is or who it touches. The people will settle for nothing less."

For more information on campaign finance reform or about the Reform Party, call the national Reform Party office at (972) 450-8800, or contact your state Reform Party headquarters.

#### STATEMENT OF JOAN CLAYBROOK, PRESIDENT, PUBLIC CITIZEN, HOUSE INVESTIGATION OF CAMPAIGN FUNDRAISING ABUSES

Public trust in our system of government is dangerously low. Political gamesmanship and partisan sniping are destroying voters' confidence in their lawmakers. So is the corrupting spiral of legalized bribery better known as special interest money.

Attempts to limit the scope of the House investigation are a transparent attempt to

cover up the misuse of special interest money swamping Congressional races and the methods used to raise such sums.

Congressional candidates poured \$743 million into their 1996 campaigns. The disease of special interest corruption is not confined to the executive branch of our government, so why should the Government Reform and Oversight Committee's investigation be confined only to the executive branch?

The voters are demanding to know the full story behind the litany of fundraising abuses in both the Administration and Congress and by Democrats and Republicans alike.

The Government Reform and Oversight Committee investigation must not close its eyes to suspect activities like the Republican donor access programs, where those who gave \$50,000 were guaranteed at least three private meetings with GOP senators.

The Committee must not close its eyes to the Republican fundraising letter of 1995 promising that corporate contributions of \$25,000 or more would go "directly to fund House races"—an activity that would have been illegal.

And it cannot close its eyes to public demands for action. Today's poll in the New York Times shows almost nine of ten people wanting fundamental changes or even a complete overhaul of the political fundraising system, and nearly nine of ten people wanting the Congressional investigations to cover fundraising abuses by both parties.

Chairman Burton must not be allowed to turn this investigation into a partisan vendetta against the White House that sweeps Congressional fundraising abuses under the carpet. Giving him the power to control this investigation is like appointing Pete Rose Commissioner of Baseball. Dan Burton must not be allowed to seize unilateral power of subpoena, and he must not be allowed to destroy the credibility of the House of Representatives by confining its investigation to one corner of a very huge problem.

The Committee as a whole, not its chair must decide what subpoenas are issued, or the power will become a partisan weapon. The Committee as a whole should also control what documents are released to the public. The Committee's probe is far too important for it to be controlled by one individual whose own activities are being investigated by the Justice Department for abuses but who wants to decide which abuses will be investigated and which will be ignored.

Representatives must choose between a wide-ranging, principled and fair investigation, or one that is conducted for narrow partisan purposes that shields the indefensible Congressional campaign finance system from scrutiny.

Last month, because a handful of Republican senators stood tall, the Senate voted unanimously to expand the scope of its probe into campaign finance practices to include Presidential and Congressional activities, both illegal and improper.

Today, the question is whether the House—and the Government Reform and Oversight Committee—also has the courage to listen to the American people and investigate the whole story.

Mr. TIERNEY. Mr. Speaker, at this point in time I would like to yield to my friend, the gentleman from Illinois [Mr. BLAGOJEVICH].

Mr. BLAGOJEVICH. Mr. Speaker, let me say that as a freshman this is my maiden voyage, this is the first time that I have addressed the House with regard to a question of an issue relating to procedure and an issue that relates to a committee.



Let me say that as long as we are talking about investigations, I must confess, Mr. Speaker, that I have to plead guilty. I have to plead guilty to naivete.

When I ran for Congress this last fall, I ran with the notion that Members of both political parties were going to try to work together to improve our country on the issues that are important to people in our respective communities. We were going to work to try to improve the quality of education; we were together to try to improve and repair our schools; we were going to try to fight crime and balance the Federal budget.

I thought Congress was going to operate under the rule of law. I believe then, and I still believe, that Members of both parties want to act in good faith together to solve these problems and many other problems that face our communities. I must confess, however, that I was somewhat naive, and I must confess to being somewhat demoralized by the fact that as a freshman member of the Committee on Government Reform and Oversight what I have seen thus far has been nothing but a political witch-hunt designed to embarrass the President of the United States and designed to embarrass one particular political party.

The American people, Mr. Speaker, recognize, rightfully so, that there is something wrong with the way our financing of campaigns is being presently operated in the United States. The American people, I believe, rightfully so, want us to reform the campaign financing laws.

This Congress must, in my judgment, act now to address these problems, and in doing so, we have to do it in a bipartisan manner, not only to look at transgressions of Members of both parties; not only to see where Members of Congress, Members who are Democrats and Republicans, as well as candidates for the Presidency, have failed and transgressed in laws. We have to make sure that we reform the financing system.

So as we investigate the transgressions, I urge this Congress, and in particular, the committee of which I am a member, the Committee on Government Reform and Oversight, to make sure that when we investigate fundraising transgressions, we do so by addressing not only the White House, but also Members of Congress and Members of both political parties.

In the final analysis, Mr. Speaker, I firmly believe that Democrats and Republicans alike, Members of Congress, Members of the U.S. Senate, fundamentally love our country, love the democracy that we have the opportunity to serve. The fundamental integrity of this process is being called into question when our committee is not addressing these investigations in a fair-minded manner and does not seek to

investigate all transgressions, and is merely looking to focus on one particular party, and in particular, the President of the United States.

Mr. Speaker, I hope that tomorrow when the Committee on Government Reform and Oversight meets we determine to hold a fair investigation and a nonpartisan investigation.

Mr. TIERNEY. Mr. Speaker, at this time I would like to yield to my colleague from Michigan, [Ms. KILPATRICK].

Ms. KILPATRICK. Mr. Speaker, with nearly 100 days now into the 105th Congress, I am puzzled and baffled that we have not yet begun to take care of the business of the people. Quality education, good-paying jobs, a clean environment, medical care for the people of this great country, all have not yet been addressed.

I want to give you an example of what can happen when a legislature works together in a bipartisan way. In 1993, President Clinton initiated and passed the Empowerment Zone Act. Since that time, there have been established 15 empowerment zones across America and 25 enterprise communities where jobs are created, where people are trained, where the displaced worker is put back to work.

I contend that this 105th Congress must get back on track. One hundred days and still no real issues, no real opportunity for children, for people. We have got to get back on track.

I am happy to report that Detroit, the city that I represent, among six other cities, was the No. 1 application put in and won that rightful first place empowerment zone designation. We have 2 billion dollar's worth of private investment; we have over 100,000 jobs committed and we are in the process of rejuvenating that.

I am happy to report that beginning next Monday, Tuesday, and Wednesday, the White House will sponsor and hold in Detroit the first annual meeting of the empowerment zones and the enterprising communities. This will be the first time that the enterprising communities and the empowerment zones will come together to see what is working, how many they have employed, how many they have retrained, what has happened in terms of assistance to schools and education.

I am happy that Detroit is being selected, I am happy that President Clinton had the foresight to establish the empowerment zones, and what I want to see this 105th Congress do is to expand that opportunity. Let us put Americans back to work. Let us provide educational opportunities for our children. Let us have pensions and security for seniors who have worked so hard for this country.

We are now almost 100 days into the 105th Congress. How long will it be before we get back to work? I am asking our Republican leadership, let us deal

with the issues of America. Let us put Americans back to work. Let us provide security for our children so that they too can have wonderful, exciting lives that we have all been blessed by.

One hundred days. Is it not time that this Congress, the 105th Congress under Republican leadership deal with the real issues? Enterprise zones, working Americans, sending children to school, providing health care, securing pensions, that is what the American people want to talk about.

I would hope that we begin the work of the people of this great Nation, that as we move to a new millennium we talk about those real issues, and let us get to work, Congress. We are 435 of the most powerful people in the world. People sent us to this Congress to do their work. Let us get started on it.

Mr. TIERNEY. Mr. Speaker, at this time I would like to yield to the gentleman from Ohio [Mr. KUCINICH].

Mr. KUCINICH. Mr. Speaker, I rise to address an issue in which the credibility of Congress is at stake and the credibility of a congressional committee is at stake.

Our Government was set up, the Government of the United States was set up to provide for a separation of powers, and that separation of powers was to prevent the abuse of power, a system of checks and balances to prevent the abuse of power, a House and a Senate to prevent the abuse of legislative power, a district, appellate, and Supreme Court to prevent the abuse of judicial power.

Democracy is the greatest form of government known to the world, and it works, as long as we do not abuse power. The American people are very aware of this. That is why they favor a system which distributes the power throughout the Government.

We have a situation on our committee, the Committee on Government Reform and Oversight, which lends itself to the great concern of the American people as to whether or not power is being abused, because we have a condition set up which permits the chairman of that committee to be a policeman, a prosecutor, a judge, and a jury over matters relating to the investigation of campaign finance.

The American people have a right to know what is going on with respect to campaign finance, but they also have a right to make sure that it is done in an even-handed way, where power is not abused, so that there is credibility to any investigation.

Mr. Speaker and Members of the House of Representatives, we need to go very slowly on our efforts to investigate campaign finance if it is not being done in a bipartisan manner and if it refuses to recognize the demand and the requirements which the American people have for checks and balances and for the prevention of the abuse of power.

I implore the chairman of the committee to consider our requests so that we will have the committee make the decisions as a whole for the calling of witnesses, for the subpoena of documents, and for any other matters which come before our committee. I would ask the gentleman from Indiana [Mr. BURTON] as a gentleman and as a Member of this House to consider the grave responsibility he has to protect this democratic process in this moment of great concern of the people.

Mr. TIERNEY. Mr. Speaker, at this time I would like to yield to my distinguished colleague from Connecticut [Ms. DELAURO].

□ 1600

Ms. DELAURO. Mr. Speaker, I want to thank my colleague for yielding to me. Also, I want to commend my colleagues for coming down this afternoon to talk about the issue of this investigation.

I wanted to be here as well to join in the commentary in order to support the efforts of my colleagues in calling for an open and a fair investigation of campaign finance issues, campaign finance reform, and of what our administration practice is. But I also believe that we ought to take a look at the Congress as well and what has happened, and look at what may be potentially there to have an open and fair investigation.

However, I would just say to my colleagues that I think that there are clear motives on the part of the Republican majority to have a one-sided investigation, and the reason is what they do not want to do is to look into the practice that they were heavily engaged in in the last session of this Congress and during the election, of lobbyists writing the legislation in this body in exchange for campaign contributions.

Today on the floor of this House, the majority whip gave us his own revisionist history lesson on campaign finance reform. The majority whip, the gentleman from Texas, was widely criticized during the last Congress for allowing lobbyists to write legislation in his office. Article after article documented meetings where GOP donors were invited to draft bills on issues of concern to their special interests.

One such article from the Washington Post on March 12, 1995, and these are the words of the article and I am not making this up, this is documentation, documents an organization called "Project Relief" that included 350 industry members and lobbyists. Instead of just proposing legislation, the majority whip let them draft the laws directly. In other words, he would let paid lobbyists do what House Members, Members who are duly elected by the 500,000 or 600,000 people they represent in their districts to come here to carry the interests of those folks to this

body, to craft that legislation in terms of good and meaningful public policy in the lives of American taxpayers, he would let the lobbyists do what House Members are elected to do.

The gentleman even admitted the practice, saying that the lobbyists have, and this is a quote, "They have the expertise." Today the gentleman from Texas claimed it never happened. Once again Republicans do not want an open investigation.

I will tell the Members the other items they do not want to look into. The tobacco industry gave the [RNC] Republican National Committee, \$7.4 million. They passed a product liability that would have saved the tobacco company millions of dollars. The NRA gave \$2 million. The GOP worked to try to kill the assault weapons ban in the last session of the Congress.

The GOP Congress let big business help write a workplace safety bill. In January of 1995 big business lobbyists wrote up a 30-item wish list for limiting certain workplace safety regulations. When the bill was finished in early June, virtually every single item on that wish list had been incorporated into the final version of the bill. Business lobbyists even worked closely in drafting the legislation.

There were other areas in terms of other non-legislative outrages. I am just going to hold up this book. This is the National Republican Campaign Committee, this is the tactical PAC project, PAC being Political Action Committees. These were folks who were given a friendly or unfriendly notation by their name. This was circulated to the GOP representatives based on how much money these folks gave to Republicans or Democrats.

The majority whip, who was nicknamed "the Hammer," and is very proud of this appellation here, for his fund raising techniques, has been known to greet lobbyists with this book, thumbing through it, and saying, see, you are in the book, one way or the other.

The long and short of it, I think what we ought to do is to continue with a lot of this information, to get it out. The public ought to know this. We ought to try to get it out, so that the public has both sides. This needs to be a fair and open investigation.

No one is saying that we should not investigate. We should, because wrongdoing, wherever it occurs, ought to be stopped. Let us do the right thing by the American people. Let us open this investigation and make sure that both sides are heard. I thank my colleague for having this special order today and for allowing me some time to speak.

Mr. TIERNEY. I thank my colleague for taking the time to point out in the remaining 2 minutes that I have, Mr. Speaker, just to continue to point out some of the issues that the gentleman brought to light, and being that

what we are really discussing here is the fact that this is a proposal by a committee and a committee chairperson to run a totally extraordinary and unusual type of campaign investigation that focuses only on one party, one office, instead of doing what the other body, the Senate, did in terms of broadening it out.

The fact of the matter is, as our minority leader, the gentleman from California [Mr. WAXMAN], pointed out, the fact of the matter is that we can do better. We need not have two separate investigations, particularly when one of them is really compromised the way the one in the House pretends to be.

We ought to do what they have done over in the Senate side, or let them do it if we cannot work jointly with them, save the American taxpayer some \$14 million, and deal with both parties, all offices, and have a credible investigation, and not one where we have one individual unilaterally, without any constraints, issuing subpoenas.

In every other investigation that has been done by these bodies of any notoriety, the gentlewoman will note that there was never a case of the unilateral issuance of subpoenas by the chairperson, whether it be Watergate, Iran-Contra, the House Ethics Committee, or the proposed Senate investigation, nor have there been unilateral releases of privileged and confidential documents in any of those.

Yet our chairperson in the House purports to do both of them, but he purports to do it by silently not stating specifically the context of his investigation and the protocol, so those Members of his committees who profess to be moderate or profess that they would be embarrassed by such a venture can hide behind that lack of specificity.

I want to thank all of my colleagues who came to the floor today to highlight this matter, and urge, Mr. Speaker, that we see some leadership on the other side of the aisle here, that we do something that will have credibility, that we move forward so the American people will know that this Congress is working for them.

#### ANNOUNCEMENT REGARDING THE PASSING OF THE HONORABLE CHARLES G. HAYES, FORMER MEMBER OF CONGRESS

The SPEAKER pro tempore (Mr. LAHOOD). Under a previous order of the House, the gentleman from Illinois [Mr. RUSH] is recognized for 5 minutes.

Mr. RUSH. Mr. Speaker, I am saddened this afternoon, as I have the responsibility to announce to the Members of this body, to the Nation, and to the residents of the First Congressional District that on last evening our friend, our colleague, former Representative Charles G. Hayes, died last night.



Charlie Hayes, Mr. Speaker, as we know, was a man who was at the forefront of the struggle of poor people, minorities, women, trade unionists. He dedicated his entire life, Mr. Speaker, to promoting the interests of the disadvantaged, the downtrodden, the poor, the oppressed.

Mr. Speaker, those of us who served with Charlie Hayes during his tenure, beginning in the 90th Congress, recall affectionately and vividly his loud voice at the rear of the room when things got unruly here. He would call out "Regular order, regular order," in a distinctive manner, and everyone would be brought to attention because of his commanding voice.

Mr. Speaker, his commanding voice called "Regular order," indeed, in the affairs of this Nation, certainly as he saw injustices throughout the land, as he saw injustices in the union, trade union movement, as he saw injustices occurring in the city of Chicago and throughout the Nation.

Charlie Hayes was one of the giants of this Nation. America could not have produced a more sincere, a more dedicated, a more courageous leader than Charlie Hayes.

I knew Charlie Hayes on a lot of personal levels. I can recall moments when our community felt as though we were not being represented in the city of Chicago in a fair way, and Charlie Hayes was at the forefront, the leader of an organization, a committee, called the Committee to Elect a Black Mayor in the City of Chicago. The culmination of that committee's work was to elect Harold Washington mayor of the city of Chicago.

Charlie Hayes was a man who reached out to all races, to all elements in this society. All that you required in order to get Charlie Hayes' commitment to you was that you be discriminated against, that you be disadvantaged. If in fact you had those requirements, those prerequisites, then Charlie Hayes was indeed your champion and your leader.

Charlie Hayes served gallantly in this Congress. He was the first trade union leader to become a Member of Congress. He served gallantly on behalf of the people who reside in the First Congressional District. He was indeed a man whose every step was on behalf of the poor and the downtrodden, whose every act as a Member of this body, whose every act as a member of the trade union leadership movement, whose every act as an adult individual, his every act was characterized by his commitment to humanity, to the upliftment of humanity.

Mr. Speaker, I am very, very saddened as I stand before this body to deliver these few words of announcement that my friend, your friend, your colleague, Charlie Hayes, has passed on.

Mr. Speaker, as I sit back and I reflect for a moment on what Charlie is

doing now in the assembly of God, in the heaven, I too know that he is looking here among us, and he is seeing and observing some of the things that are occurring here. I know that he is particularly saddened by that. I can just vividly imagine hearing his voice from the heaven calling down upon this body, addressing us all and saying, "Friends, colleagues, regular order."

#### SUPPORTING COUNTRY-OF-ORIGIN LABELING LEGISLATION ON IMPORTED FRUITS AND VEGETABLES

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio [Ms. KAPTUR] is recognized for 5 minutes.

Ms. KAPTUR. Mr. Speaker, at a later point I will have something to say about our distinguished colleague, Mr. Hayes of Illinois, with whom I had the great pleasure of serving for many years.

Mr. Speaker, I wanted to inquire of families in America that if they this past week bought strawberries in the grocery store and then one of their children became ill from eating those berries, would they be able to find out, as a U.S. consumer, where those berries had been produced and who had processed them? The answer is no, they would not be able to find that information out, when in fact consumers in our country have a right to know where their food is coming from.

Mr. Speaker, I rise today in support of a country-of-origin labeling bill on imported fresh fruits and vegetables. I also rise in support of labeling for frozen fruits and vegetables. Our distinguished colleague, the gentleman from California, Mr. SONNY BONO, has introduced the Imported Produce Labeling Act of 1997. I am pleased to join him as an original sponsor on that bill, to require all fresh fruits and vegetables to be clearly identified as to their country of origin. With all the pesticides used in other places and the difficulties with border inspection, this is the least we can do for our people.

Also, we have written this week to the Secretary of the Treasury, Mr. Rubin. The Treasury Department has been dragging its feet for well over a year on the labeling of imported frozen items, which of course these particular strawberries, on which hundreds of our people have become ill, were imported berries that were processed and frozen. There is absolutely no reason that as we approach the year 2000 we cannot take better care of the American people.

A recent poll showed that nearly 70 percent of our people want to know and favor country-of-origin labeling for both fresh and frozen commodities.

Mr. Speaker, I thank my distinguished colleague, the gentleman from Michigan [Mr. SMITH] for giving me the

opportunity to place this on the Record.

Mr. Speaker, I rise today in support of country of origin labeling on imported fruits and vegetables—both frozen and fresh.

Nearly every consumer product has origin labeling except the produce we eat.

Consumers have a right to know where their food is coming from.

The use of pesticides in other countries and border inspection practices raise even more questions in the minds of consumers about the quality and health risks of imported fruits and vegetables.

I am pleased to be a sponsor of the Imported Produce Labeling Act introduced by our colleague from across the aisle, Representative SONNY BONO. This bill strengthens existing law to require all fresh fruits and vegetables to be clearly identified as to their country of origin.

This bill simply closes existing loopholes that allow fresh fruits and vegetables to be exempt from country of origin labeling requirements, by requiring that the products themselves—or the bins, display cases or containers holding the commodity—be labeled at the retail level with their country of origin.

It is critical that we clearly define the country of origin on all fruits and vegetables coming in this country so that we can effectively trace back bad lots.

The press has been full of reports about frozen strawberries with misleading country of origin information which were associated with an outbreak of hepatitis among school children participating in the National School Lunch Program. Commodities purchased for the lunch and breakfast programs are required by statute to be grown in America, unless no domestic product is available. Based on news reports, it appears that the processor may have falsified documentation to make Mexican strawberries appear to be American produce. As a result of this deception, thousands of children are threatened with disease.

On April 3, I wrote the Treasury Secretary Robert Rubin to urge him to proceed with the enactment of a final Customs Service Regulation which would clarify the requirements for country of origin labeling for frozen imported produce.

Last July, Customs published a proposed regulation clarifying that frozen imported produce be clearly labeled as to country of origin on the front panel of packages, in permanent ink. In its Federal Register notice regarding the proposal, Customs declared that the clarification in policy was necessary because current standards allow variations in labeling which could create confusion or be misleading.

Current law requires imported frozen produce to be clearly labeled as to country of origin. But it appears to be a common occurrence for frozen produce that is brought into the United States to be repackaged without the required labeling. In other instances in which packages are labeled, the size of type, or poor quality of ink, make it impossible for consumers or Customs inspectors to verify compliance with the law. Customs has warned that their responsibility in verifying that all packages sold in this country comply with the law is made extremely difficult in the absence

of clear standards for where the country of origin label is to be displayed.

Despite the importance of this issue and the right of all Americans to be informed about where the produce they buy for their families is from, Customs' proposed regulation received little public attention and few public comments during the comment period last summer. In fact, only about 50 individual comments were received: the majority of these were from food growers and processors in other countries.

However, American consumers and American food growers and processors appear to feel strongly about this issue. In fact, a recent national poll conducted after the comment period closed found that nearly 70 percent of American consumers would favor a Government regulation requiring country of origin labeling, and 73 percent stated that they would most likely notice the label if it appeared on the front panel of package. Perhaps most importantly, the survey found that 83 percent of consumers had never noticed a country of origin label on a package of frozen vegetables. These facts would seem to make the case for enactment of the Customs proposal crystal clear.

The recent news reports of thousands of American school children put at risk of hepatitis from frozen strawberries, imported from Mexico but misidentified as being product of the United States, serves as a dramatic reminder of how important it is for all American consumers to know where the food they eat comes from. The Customs Service must enact country of origin labeling on frozen fruits and vegetables immediately.

□ 1615

#### SOCIAL SECURITY

The SPEAKER pro tempore (Mr. JENKINS). Under the Speaker's announced policy of January 7, 1997, the gentleman from Michigan [Mr. SMITH] is recognized for 60 minutes.

Mr. SMITH of Michigan. Mr. Speaker, for everybody's information, I will be taking slightly less than 20 minutes for this presentation. I think this is the time of year when every American, Mr. Speaker, should be looking at their income tax returns and seeing how much they pay in taxes. They should be looking at their payroll check, if they have payroll deductions, to see how much is deducted from that check for taxes for Government.

Right now if you are an average working American, Government taxes 41 cents out of every dollar you make. Government, in their thinking that they can make decisions of how to spend the money you earn better than you can, have simply decided to keep increasing the size of Government, doing more things, making more promises.

Mr. Speaker, I wanted to talk for a few minutes today on one of those promises, which is Social Security. Now, politicians have promised more than they can deliver on Social Security.

The official estimate of the Social Security Administration is that Social Security is going bankrupt. This first chart that I have shows that there is going to be a slight surplus of money coming into Social Security until approximately 2011. After that, the taxes coming in that pay for the benefits going out are going to not be enough to adequately supply the existing benefit grant level. So the red part of this graph shows how much deficits are going to increase if we are going to keep our commitment under the existing Social Security benefit plan.

We have a serious problem in Social Security. It was decided in 1935 to have, if you will, a Ponzi game, a pay-as-you-go system where existing workers pay in their taxes and those taxes are immediately paid out to existing retirees, a pay-as-you-go program. That is the way it is today. That is the way it has always been since it was devised in 1935. Not a very good way when we consider the fact that we have a declining number of people working to pay in those taxes and we have an increased number of retirees, because they are living longer, for one thing, to receive those benefits.

Mr. Speaker, this chart shows that in 1950 there were 17 people working paying in the Social Security tax for every 1 retiree. Today there are three people working paying in their Social Security tax of 12.4 percent to supply each retiree that is on Social Security. By 2029, the estimate is that there will be only two people working to pay in those taxes. Of course what we have done is simply increased the taxes that the fewer and fewer number of workers pay in, not fair to the young people of today.

We need to start having something like generational accounting, how much are we taking away from our young people in terms of the taxes, in terms of the borrowing that we are doing today that we are, in effect, using the money they have not even earned yet because somehow we have decided our problems today are important enough that we are going to take the money that they have not even earned yet and make them pay back the debt that we are now imposing on them.

Mr. Speaker, this chart shows what is happening in terms of the cost of Social Security. It is hard to conceive \$350 billion. So what I did is I broke this down to how much does Social Security cost per minute. This year Social Security is costing \$700,000 a minute. Last year it cost \$660,000 a minute. But look what is going to happen by the year 2030. It is going to cost \$5,700,000 per minute. That is because more people are living longer, plus we have got the baby boomers that are going to start retiring in the year 2011, 2012, 2013.

The baby boomers of course was the huge increase in the birthrate that

happened after World War II. Everybody thought the economy is great, we are coming out of this war as national heroes, we are going to have children because we can take care of them.

This shows the chart, the graph of the life expectancy of senior citizens. When Social Security started in 1935, the average age of death was 61 years old. The retirement age was 65. Of course what that means is most Americans never lived long enough to earn any of the Social Security benefits, so it was easy to balance the system in those days when most people were dying off before they even became eligible for Social Security. The estimates are now that, when you are born, on the average you are going to live to be 74 years old. But if you reach 65, the current age for total full eligibility for Social Security benefits, if you reach the age 65, now on the average you will continue living until age 84.

Some estimates are as high as, by the year 2030, one-third of the population will be living to be 100 years old. Of course what that does is mean more Social Security recipients depending on those workers, if we continue the existing system, to pay in their taxes, to pay for the existing benefits.

Here are just two charts. It shows between now and the year 2040 seniors will increase at 108 percent, coming to 71 million, where workers will increase only 23 percent of the population. That means fewer workers like we showed on the chart supporting with their taxes for more and more retirees.

So the question is, should we yet again increase taxes on those workers? This chart shows how we have increased taxes over the years. So every time there was a little money needed in Social Security, we increased the tax on workers. Of course when it started out, it started out at 2 percent on the first \$3,500 of earnings. Now it is 12.4 percent on the first \$62,000 of earnings. And that base of \$62,000 is automatically indexed to go up every year.

Listen to this. Mr. Speaker, we have increased taxes on workers 36 times since 1971, more often than just once a year. We cannot increase that tax on workers anymore. It is not fair. Taxes are already getting too high. What this next chart shows, if the next chart is in order, and it is not quite in order, is how long it took to get everything back that you and your employer paid in Social Security taxes.

If you happened to retire back here in 1940, of course, it only took 2 months to get everything back you put in. Taxes were very low and the program was just starting. If you retired in 1960, it took 2 years to get back every tax dollar that you put in, that your employer put in, plus compounded interest. By 1980, it took 4 years after retirement. Look at 2 years ago. In 1995, you have to live 16 years after you retire to get the money back that you



and your employer put in. Not a very good investment.

Some people say, look, if you go to a private investment, it is risky. Nothing is more risky than the existing system because you are going to be very, very lucky if you get back what you put into the system in taxes.

In 2005, which is 8 years from now, you are going to have to live 23 years after retirement. By 2015, you will have to live 26 years after retirement to get back just what you and your employer put in in taxes.

Today 78 percent of American workers pay more in the Social Security tax, the 12.4 percent Social Security tax, than they pay in the income tax. That tax is high enough.

Mr. Speaker, I want to spend a little time with this last chart. This last chart is a pie representing how the Federal Government spends its money. Last year we spent a little over \$1.5 trillion. Look at the large piece of this pie, how much Social Security took out of the total spending of Federal Government, 22 percent.

If we go around, we are looking at Medicare. Medicare is an amendment to the Social Security Act that was amended in 1965 to say, let us expand the Social Security Program to cover health care for senior citizens. Medicare is growing at almost the rate of 10 percent a year, and pretty soon Medicare is going to be a larger, huger problem than Social Security.

We have got to somehow take our heads out of the sand and start dealing with some of these tough issues. I know for politicians it is easy to put those decisions off. Maybe you say, look, I am only going to be in office another 2 years or 4 years, let the people after me deal with these tough issues. They are tough. How are we going to solve the problem?

I want to point out that interest on the public debt of the \$5.2 trillion that we have overspent, annually we overspend, and that is called the deficit. You add all those deficits up and now it comes to \$5.2 trillion. It takes 15 percent of the total budget just to pay the interest on that debt nobody down here in Washington is thinking about anyway or any possibility of paying that debt back. We are leaving it up to the young people to say, somehow you solve this problem later on.

We have got to quit this kind of Ponzi game like we have in Social Security. We have got to start having generational accounting. We have got to have the kind of decisions in Washington that do not take the chances away from our kids and our grandkids to have the same kind of opportunity, to have the same kind of standard of living that we have had.

I have introduced a Social Security bill. It makes a lot of modest changes. It does not increase the tax. It does not affect existing retirees. In fact, it does

not affect anybody over 57 years old. But it gradually slows down the increase in benefits for the higher income recipients. It adds one more year to the time that you would be eligible for Social Security benefits.

It makes a couple other small changes. I say, and it has been scored to keep Social Security solvent forever; I say, let us run this proposal up the flag pole. Let us start looking at ways we can improve it, but let us not any longer pretend that the problems, that the problem does not exist. I say, if we have any regard for our kids, we are going to do two things: We are going to give them a good education and a good opportunity. We cannot give them a good opportunity if we continue to go deeper and deeper in debt and expect them to pay for it. We cannot give them the opportunity if we continue to increase taxes, thinking that Government can spend a worker's money better than they can.

Mr. Speaker, I yield back the balance of my time.

#### ON TAXES

(Mr. SMITH of Michigan asked and was given permission to address the House for 1 minute.)

Mr. SMITH of Michigan. Mr. Speaker, I want to say some last words on taxes.

In 1947, the Federal budget represented 12 percent of the total economy in the United States. In other words, the Federal budget was 12 percent of GDP. We have expanded that. As politicians find that they are more likely to get elected and reelected if they make a bunch of promises to people, we have had too many promises, because what it takes to keep those promises is increasing taxes and increasing borrowing.

Though young people today should be up in arms about what Congress is doing to their future, everybody should be looking at what they are paying in taxes at the local, State and national level.

Look at payroll deductions. If we did not have automatic deductions on paychecks, the people of America would not stand for the kind of taxes they are paying to let somebody else decide how to spend their money when they could make a much better decision to help their family.

□ 1630

#### H.R. 864, THE MARIAN ANDERSON CENTENNIAL COMMEMORATIVE COIN ACT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from California [Mr. BROWN] is recognized for 60 minutes.

Mr. BROWN of California. Mr. Speaker, I thank the distinguished gen-

tleman in the well, Mr. SMITH of Michigan, for his eloquence in maintaining the floor for such a period of time to protect me and my interest in getting here.

#### GENERAL LEAVE

Mr. BROWN of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include therein extraneous material on the subject of my special order this afternoon.

The SPEAKER pro tempore (Mr. JENKINS). Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BROWN of California. Mr. Speaker, I rise today to pay tribute to the centennial of the birth of Marian Anderson, one of the world's greatest singers, a champion for civil rights, and a leader in the advancement of global peace.

One hundred years ago, on February 27, 1897, Marian Anderson was born to a poor family in Philadelphia, PA. She died at the age of 96, on April 8, 1993. She was a master of repertoire across operatic recital and American traditional genres.

When one of her music teachers first heard her sing, the richness of her talent moved him to tears. One of the greatest conductors of opera and symphonic music who ever lived, Arturo Toscanini of Italy, claimed Marian Anderson had a voice that came along only once in a hundred years. But because of her race, her prospects as a concert singer in the United States seemed limited.

However, the magnitude of her talent eventually won her broad recognition all over the world. She became the first black singer to perform at the Metropolitan Opera in 1955. By the time she retired in the mid 1960s, Marian Anderson was recognized as a national treasure.

No one could have foreseen such a destiny for this girl born of a poor family in Philadelphia. Her father, an ice and coal salesman, died when she was a child. When her mother could not find a job as a teacher, Marian Anderson became a cleaning lady. She scrubbed people's steps to earn enough money to buy a violin. There was no money for piano lessons, so she and her sisters taught themselves to play piano by reading about how to do it.

Marian Anderson received her first musical training in the choirs at the Union Baptist Church in Philadelphia. The members of her church raised the money she needed to study with good music teachers. By saving money and getting a scholarship, she was able to study in Europe.

A century after her birth, Marian Anderson remains a model for all citizens of the world and one of the greatest treasures of our country. However, we should not forget that she had to fight

hard to win her place in history. Although she won a first prize in a voice contest in New York in 1925 and made an appearance that year with the New York Philharmonic, she was still unable to find operatic engagements and within a few years her career came to a standstill.

It was only after she toured Europe to great acclaim in the early 1930's that the American public began to pay attention to her. Even after her artistry was recognized, in her home country she faced racial prejudice on a more mundane level. Well into her career, she was turned away at restaurants and hotels. America's opera houses continued to remain closed to her for a long time.

Yes, it was Marian Anderson who first broke the color barrier for Western classical musicians of African descent. There had, of course, been distinguished black musical artists before her, but it was she who accomplished what no one else had. With the gifts of her talent and determination, she established beyond dispute that African-American musical performers could be more than adequate to the task of excelling in the most demanding concert and operatic venues.

Marian Anderson not only played a vital role in the acceptance of African-American musicians in the classical music world but also made a valuable contribution to the advancement of the arts, the status of women, civil rights, and global peace.

In 1939, the Daughters of the American Revolution, DAR, refused to allow Marian Anderson to sing at Constitution Hall because of her race. As a result of the ensuing public outcry, Eleanor Roosevelt resigned from the DAR and helped to arrange a concert at the Lincoln Memorial that drew an audience of 75,000, an audience far larger than Constitution Hall could ever have accommodated.

Mr. Speaker, I have brought this Special Order to the House floor this afternoon because 58 years ago today, on Easter Sunday, April 9, 1939, Marian Anderson gave that concert on the steps of the Lincoln Memorial. No other occasion could be best suited for us to pay a tribute to the centennial of the birth of this great American.

In my opinion, the one event for which Marian Anderson is most remembered in the public mind is her 1939 concert at the Lincoln Memorial, which became a landmark in the fight for civil rights. At 5 o'clock in the afternoon on that day, a crowd of 75,000 people assembled at the feet of the Great Emancipator while radio microphones waited to carry her voice to millions across the land. As the sun suddenly broke through clouds that shadowed the scene all day, Marian Anderson began singing "America the Beautiful."

The concert has been likened in impact to Dr. Martin Luther King, Jr.'s

"I Have a Dream" speech delivered on the same site 24 years later, and I might add parenthetically that I had the honor to be present at that speech, an event at which Anderson also sang.

The 1939 recital certainly set a precedent for the 1963 march, not only in that it was a watershed in the ongoing battle for civil rights, but in the manner through which this particular victory was won by the central person quietly but firmly avoiding strife and taking, instead, a moral high road that all people, regardless of race, have to admire.

But while Marian Anderson is most remembered for this concert, it was only one event in a long life of breaking barriers and setting precedents. In 1955, she became the first black singer to perform at the Metropolitan Opera in New York, as I have already mentioned. In 1957, the U.S. State Department sponsored a 10-week tour of Asia, in which she sang 24 concerts in 14 countries. She also sang at President Dwight D. Eisenhower's Inauguration in 1957 and at President John F. Kennedy's in 1961.

Late in her life, she was frequently honored. She was awarded 24 honorary degrees by institutions of higher learning. In 1963, she became the first recipient of the Presidential Medal of Freedom. Congress passed a resolution in 1974 to have a special gold medal minted in her name. Marian Anderson was a delegate to the United Nations, where she received the U.N. Peace Prize in 1977. In 1984, she became the first recipient of the Eleanor Roosevelt Human Rights Award of the city of New York. She was also awarded the National Arts Medal in 1986.

It is clear that something must be done as a Nation to honor the centennial of the birth of this great American. Mr. Speaker, in closing my statement, I would like to take this opportunity to urge my colleagues from both sides of the aisle to support the passage of H.R. 864, the Marian Anderson Centennial Commemorative Coin Act, a bipartisan bill to honor the centennial of the birth of Marian Anderson.

The surcharges from the sale of coins will be distributed to the Smithsonian Institution and the Corporation for Public Broadcasting for the endowment of exhibits and educational programs related to African-American art, history, and culture. The bill has a provision that ensures that minting and issuing coins will not result in any net cost to the U.S. Government.

Marian Anderson's life is a model for all of us. I consider it a privilege to have introduced this legislation to pass on our memory of this great humanitarian to future generations in the form of her commemorative coins. I am honored to join with my colleagues today to pay tribute to the centennial of the birth of Marian Anderson.

Mr. FATTAH. Mr. Speaker, it is fitting that Congress remembers Marian Anderson on this

day which marks the 58th anniversary of her Easter concert on the steps of the Lincoln Memorial. For she is no stranger to Washington.

This year also marks the 100th birthday celebration of Ms. Anderson. A native Philadelphian, born on February 27, 1897, Anderson became an internationally renowned contralto and an aspiring symbol to all who strive to achieve against tremendous odds. Anderson began her career like so many African-Americans, by singing in her church choir where funds were raised to help pay for her voice lessons. Anderson traveled the world singing arias and ending each concert with spirituals, for she was a spiritually centered individual.

She was affectionately referred to as the "Lady from Philadelphia". In 1930, she toured Europe, winning from Toscanini the tribute "the voice that comes once in a 100 years". She became an accepted citizen of the world long before she was accepted as an equal citizen in her own country.

The story of the Easter Sunday concert has been told many times in many ways. The announcement that Anderson was to be awarded the Spingarn Medal—the highest medal given by the NAACP—brought her national attention. Prominence of a different order came a few months later. Within weeks of the NAACP's announcement, Charles C. Cohen, chairman of Howard University's concert series, acting for Sol Hurok, Ms. Anderson's manager, requested the use of Washington, DC's Constitution Hall from the Daughters of the American Revolution [DAR]. The DAR refused to allow Ms. Anderson the use of the hall, admitting finally that no Negro would be allowed to perform there. This was a restriction, in fact, that had been in place for a number of years. Everyone from Eleanor Roosevelt to actor Frederic March rose their voices in pointed outrage.

As a result of this public snub of Ms. Anderson, First Lady Eleanor Roosevelt resigned her membership from the DAR. Furious with the shameful and bigoted action of the DAR, Lulu Childers, the director of music at Howard University, vowed that "she'll sing here even if we have to build a tent for her." The solution that gradually emerged became one of the early defining moments in the history of peaceful protest against racial inequality in this country. Walter White and other NAACP officials, in discussions with Hurok, decided that Anderson should sing at the Lincoln Memorial, in the open air, where no barriers could be erected. White took his plan to the Department of the Interior, from whence it went to President Roosevelt, who gave his enthusiastic approval. So on Easter Sunday, April 9 1939, Ms. Anderson sang in front of a crowd of 75,000 instead of the 4,000 that would have filled Constitution Hall. The crowd stretched down both sides of the Reflecting Pool, to the base of the Washington Monument.

Many of her own people in attendance would never have heard her sing because of the disabling Jim Crow laws that governed much of the country. These same laws forced Ms. Anderson to travel in the colored section of trains traveling South, stay at black-owned hotels or stay at friends and friends of family members during her tours, and enter concert halls from the back entrances to the very halls in which she was to perform.



Easter Sunday Ms. Anderson was introduced by the Secretary of Interior, Harold L. Ickes. Secretary Ickes said, "In this great auditorium under the sky, all of us are free. When God gave us this wonderful outdoors and the sun, the moon, and the stars, he made no distinction of race creed or color. . . . Genius, like justice, is blind. . . . Genius draws no color line and has endowed Marian Anderson with such a voice as lifts any individual above his fellows."

In later years Anderson spoke infrequently and always reluctantly about the DAR affair. She was uncomfortable with controversy. The quite dignity with which she bore those now historic events, her refusal to speak any harsh words of blame or to be diverted from a belief that people will one day act more honorably, only served to enhance her reputation as a woman of great dignity and hopefulness. In her 1956 autobiography, she wrote, "I said yes, but the yes did not come easy. In principle, the idea was sound but it could not be comfortable to me as an individual. I could see that my significance as an individual was small in the affair. I had become, whether I liked it or not, a symbol representing my people. I had to appear."

Some people felt that she should have spoken up more often regarding racism and how she was treated however, she felt that your actions spoke volumes. She is quoted as having said, "Remember, wherever you are and whatever you do, someone always sees you." Regarding racism she says, "Sometimes, it's like a hair across your cheek. You can't see it, you can't find it with your fingers, but you keep brushing at it because the feel of it is irritating."

Quote from her nephew, Maestro James DePreist, conductor of the Oregon Symphony: "For those who loved her singing, there was a uniqueness to the quality of that voice that was able to touch people profoundly. For those who have viewed her as a symbol against prejudice, her life was an example of the dignity of the person versus the absurdity of discrimination."

Mr. WATTS of Oklahoma. Mr. Speaker, I would like to commend the gentleman from California, Mr. BROWN, for arranging this important tribute to Marian Anderson.

Today we honor the centennial anniversary of the birth of Ms. Marian Anderson, a woman renowned throughout the world for her extraordinary contralto voice, but more importantly for being one of our country's greatest shining, guiding stars herself. She was an eloquent and effective speaker who chose to fight prejudice through a dignity and grace admired world over.

Marian Anderson led an amazing life attaining success and making history through her exceptional diligence. She was born in Philadelphia to a poor family, but they lived in a neighborhood rich in support. It was in this community that Marian Anderson got her start by performing in the Union Baptist Church choir, where her talent was noticed, so the community chipped in to raise money for her to begin voice lessons and expand on her talent. From here Marian Anderson began performing and winning numerous contests including the New York Philharmonic competition. Marian Anderson also performed in Car-

negie Hall and then began her first professional tour that took her across the European Continent. She was well received, especially for her African-American spirituals.

It is hard to imagine that Ms. Anderson was more accepted in Europe than in America where she was prevented from performing at Constitution Hall due to segregation rules. But this ignorance could not equal the strength that Marian Anderson had, nor the power held by a dismayed Eleanor Roosevelt, who instead arranged for Marian Anderson to share her talent with an even larger audience. So in 1939, she gave a brilliant performance at the Lincoln Memorial on Easter Sunday, also broadcast over national radio. Later that year, she received more attention and was awarded the Spingarn Award for the highest and noblest achievement by a black American.

This recognition was just the beginning of Marian Anderson's honors. In 1955, she broke the musical color barrier with her overdue debut at the Metropolitan Opera. Then in 1958, she was named by President Dwight D. Eisenhower to delegate status at the General Assembly of the United Nations. Over the course of her life she received 24 honorary degrees by college institutions; and she received medals from a list of countries. She also sang at President John F. Kennedy's inauguration in 1961, and President Johnson gave her the American Medal of Honor. On her 75th birthday in 1974, the U.S. Congress passed a resolution to have a special gold medal minted in her name.

It is obvious to see that Marian Anderson was one of America's most accomplished musical talents, but she is also so much more. Marian Anderson was a humanitarian who had the heart to make a difference in the world as well as open the doors of American concert halls for other African-American musicians who had been denied their place for far too long. Marian Anderson challenged the concepts of prejudice and won the world to her side through her talent, dignity and virtuosity.

Mr. Speaker, Marian Anderson was and still is a true national treasure. She took brave steps in eliminating segregation through the power of song and spirituals that transcended race and cultures. I am honored to recognize such a heroic lady on the date which marks the 58th anniversary of her concert at the Lincoln Memorial. I am also proud to be a cosponsor of the Marian Anderson Centennial Commemorative Coin Act and would urge my colleagues to do the same and join me in giving one last honor to the legacy of a lady, a musician, a civil rights champion, and a promoter of world peace.

Mr. MALONEY of Connecticut. Mr. Speaker, today marks the 58th anniversary of Marian Anderson's historic concert at the Lincoln Memorial. In addition, this year is the centennial anniversary of her birth. In honor of these significant events, it's appropriate that we take a moment to pay tribute to this very special woman and a long time resident of my hometown, who is not only acclaimed for her glorious God-given voice, but for the historic contributions she made on behalf of all African-Americans.

Marian Anderson, of Danbury, CT, the first African-American singer to perform with the Metropolitan Opera, stands out as a leading

example of African-American pride and achievement.

As a young woman developing her singing career, Miss Anderson faced many obstacles, and was often the victim of racism. Probably the most widely known incident occurred in 1939, when, after triumphant appearances throughout Europe and the Soviet Union, she was prevented from performing at Washington's Constitution Hall by its owners. To apologize for that mistreatment, First Lady Eleanor Roosevelt invited Miss Anderson to perform at the Lincoln Memorial on Easter Sunday, 1939.

Miss Anderson proudly sang to an audience of 75,000 people, while millions more listened over national radio. Her inspirational performance that April day is considered by historians as the first crucial victory of the modern civil rights movement.

Even after her artistry was recognized in the United States, Miss Anderson still faced racial prejudice on a daily basis. Well into her career, she was turned away at restaurants and hotels. Even America's opera houses remained closed to her until Rudolf Bing invited her to sing at the Metropolitan Opera.

Throughout all of her trials and struggles, Miss Anderson did not give up. Her undaunted spirit fought on and her determination opened doors for future black artists that had been firmly bolted shut.

The soprano Lenotyne Price, one of the earliest artists to profit from Miss Anderson's efforts, once said, "Her example of professionalism, uncompromising standards, overcoming obstacles, persistence, resiliency and undaunted spirit inspired me to believe that I could achieve goals that otherwise would have been unthought of."

Soprano Jessye Norman said, "At age 10 I heard, for the first time, the singing of Marian Anderson on a recording. I listened, thinking, this can't be just a voice, so rich and beautiful. It was a revelation. And I wept."

Later in life, Miss Anderson was named a delegate to the United Nations by President Dwight D. Eisenhower and was the recipient of the Presidential Medal of Freedom from President Carter. She died in 1993, but her successful fight to give every individual an opportunity to achieve their own greatness, helped our country become a stronger nation. Her contributions will live on forever.

I'm proud to join my colleagues for this Special Order and I'm honored to be a cosponsor of the Marian Anderson Centennial Commemorative Coin Act. Each of us must learn from the example set by Marion Anderson to eliminate hate and violence, and create a stronger, more tolerant America. Thank you Mr. Speaker.

#### EASING TAX BURDEN FOR ALL AMERICANS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. STEARNS] is recognized for 5 minutes.

Mr. STEARNS. Mr. Speaker, I rise today to introduce legislation that would ease the tax burden for all Americans and assist all of us in pursuit of the American dream.

This legislation contains three simple provisions affecting the Tax Code:

Indexation of the capital gains tax, establishment of the American dream savings accounts, and repeal of the 1993 increase in taxes on Social Security benefits.

Quite simply, this bill is designed to right several wrong things that I think presently exist in the Tax Code. And I would point out, Mr. Speaker, these three things are offset by reductions in the Department of Commerce and the Department of Energy. Surely the Department of Commerce would appreciate the fact that we are reducing taxes, and so would the Department of Energy. So the important thing about this bill is it is budget neutral.

The legislation addresses capital gains taxation. This type of tax arises when an asset is sold and the difference between the base and the sales price is taxed. The appreciation in value can reflect real or perhaps it can reflect inflationary gain. Because of the uniqueness of this tax, what happens is, people hold an asset for a long period of time, they are taxed, and basically much of that tax is due to inflation.

Put simply, gains should be indexed to account for this inflation, and that is what this bill does. I can give some statistics, which I will make part of the RECORD, Mr. Speaker, but basically, in real terms, fixing this simple capital gains indexation will increase investments by \$75 billion, raise gross domestic product by \$120 billion, and reduce the cost of capital by 12 percent, creating an average of 233 additional new jobs.

Best of all, a capital gains tax reduction affects nearly everyone in this country. In fact, nearly 50 percent of those Americans who claim capital gains have incomes of less than \$40,000, and 60 percent of those who claim capital gains have incomes of less than \$50,000.

The second part of this legislation establishes dream savings accounts to encourage personal responsibility and, frankly, savings. In short, America needs a system that encourages and better retirement and big-event purchasing savings and does so through these dream savings accounts.

The current system does not provide any incentive at all for Americans to save for their first home or for their children's college education, nor does the current system afford American taxpayers the opportunity to use their retirement savings for catastrophic events. In fact, it can easily be argued that the current system penalizes Americans. We must change that.

The third part of my bill would repeal the tax increases on the Social Security benefits that were enacted in President Clinton's 1993 budget reconciliation bill. Prior to 1993, individuals with income in excess of a certain threshold could be taxed only at half of their Social Security benefits. Recipients with incomes below the threshold

were not at all taxed on their Social Security income.

However, after President Clinton's 1993 Omnibus Budget Reconciliation Act had been implemented, higher income thresholds were achieved. Now, individuals earning above these thresholds can be taxed at 85 percent of their Social Security benefits.

□ 1645

Unfortunately this bill also includes dividends on earnings. Thereby even tax-exempt dividends count as income when calculating Social Security taxation. Simply put, the tax increase in the President's bill is unfair and wrong. It is punitive and hurtful toward our Nation's seniors and should be repealed. The last Congress sent to the President legislation to repeal the Social Security provisions, but the President stood by his original plan and it did not pass. Nevertheless, this issue is not resolved as far as I am concerned. We must address this issue, which is why I have introduced the language in this legislation to repeal the onerous 1993 tax increase on our seniors. This bill is very simple. It does these three things. It is common sense and fair. Simply altering a few necessary portions of our Tax Code, it would help all Americans and give a fair and level playing field. Best of all, every penny in reduced revenue is offset by reductions in the funds available to the Department of Commerce and the Department of Energy. This is a small but important step forward in the debate over our Nation's future. This is legislation we cannot afford to live without.

Mr. Speaker, I urge my colleagues to support this bill. It is imperative for our country's present and future generations that we address these issues today.

#### RECOGNIZING MARIAN ANDERSON ON CENTENNIAL OF HER BIRTH

The SPEAKER pro tempore (Mr. JENKINS). Under a previous order of the House, the gentlewoman from Texas [Ms. JACKSON-LEE] is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, let me first of all thank my friend and colleague and ranking member of the Science Committee for the diversity of his portfolio, and, that is, to come to the floor to celebrate a very famous but eloquent and certainly musical American, and that is in the name of Marian Anderson.

I thank the gentleman from California [Mr. BROWN] for allowing to join him in a tribute on a very special day here in Washington. Certainly as I was coming to the floor, I took advantage of the beautiful sunshine, albeit quite chilly here in Washington DC, and it caused me to be reminded of that famous day some years ago, April 9,

when the first lady of music, contralto Marian Anderson, ascended the steps of the Lincoln Memorial and began to sing not to the 75,000 that were present but to the world and to the Nation. Her dignity and her ability to communicate in song clearly is worth giving tribute to, and I appreciate this opportunity to do so.

As I look over her history and we were able to acknowledge today at the Congressional Black Caucus meeting this day and this effort, we looked at her history. Certainly she came from a very proud family. She graduated from high school. You might consider her, as W.E.B. Du Bois described many in the early days of this century, the talented tenth. She was certainly someone whose family, albeit she was born an African-American in this Nation, had great hopes and aspirations for her. They had great dreams for her as an American, as a talented young woman.

Sadly, of course, she grew up in the shadow of Jim Crow. But her spirit was undaunted by the atmosphere of what she lived, and the God-given talent that she had was one that she wanted to share with all to hear. She was initially, of course, extended an invitation to speak in a facility that later became known as white-only, that she could not sing. But good Americans, well-thinking Americans who recognized the value of diversity and the importance of a talent in an eloquent woman as Marian Anderson should be heard.

And so this tribute that I give is as well to Marian for her talent but for the good Americans who rallied around the excitement that she had to be able to convey to America that we all stand as one.

Mr. Speaker, my tribute today, as I bring it to a close, is to congratulate the life and legacy of Marian Anderson. I wish that I could conclude this by a musical salute that all could hear, but I was moved by the moment and moved by the history of that moment, having not been there or been around to have heard it, but certainly all those who have been able to tell me of it pay great tribute to how she brought the country together, recognizing the value of our great history, of African-Americans but as well the history of all the good people who allowed her to so sing.

Let me conclude by sharing some of my time with the gentleman from California [Mr. BROWN] for him to bring some final remarks and say that on this day that the proposition 209 was again reaffirmed. I would ask that we look to the good people of America to recognize that diversity is legal and that Marian Anderson represented that diversity some many years ago.

Mr. Speaker, I yield to the gentleman from California [Mr. BROWN].

Mr. BROWN of California. I thank the gentlewoman for yielding. I want



to thank her very much for coming to the floor and adding her contribution to this tribute to Marian Anderson.

In closing this special order this afternoon, I would just like to say how honored I am to join with all of my colleagues honoring the centennial of the birth of Marian Anderson. During the long journey of her life, as has been mentioned and despite her unique achievements, Marian Anderson nevertheless encountered bigotry throughout her career. She met it all with unparalleled dignity, quietly refusing to back down from her rights, to forsake her own standard of politeness or to hold any grudges.

One can lose a lot of time hating people, she succinctly explained. As you remember, President Clinton urged in his State of the Union Address this year that Americans must continuously fight bigotry and intolerance. To follow the example set by Marian Anderson, I would like to close this special order this afternoon by quoting what she saw was the mission of her life, and I quote: "To leave behind me the kind of impression that will make it easier for those who follow."

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. CARSON (at the request of Mr. GEPHARDT), for today, on account of illness.

Mr. WATTS of Oklahoma (at the request of Mr. ARMEY), for yesterday and today, on account of family illness.

Mr. SCHIFF (at the request of Mr. ARMEY), for today and the balance of the week, on account of medical reasons.

Mr. PORTER (at the request of Mr. ARMEY), for today, on account of personal reasons.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. SHIMKUS) to revise and extend their remarks and include extraneous material:)

Mr. BRADY, for 5 minutes, today.

Mr. GOSS, for 5 minutes each day, today and on April 10.

Mr. BONO, for 5 minutes, today.

Mr. JONES, for 5 minutes each day, on April 15 and 16.

Mr. PAUL, for 5 minutes, today.

Mr. WELDON of Florida, for 5 minutes, today.

(The following Members (at their own request) to revise and extend their remarks and include extraneous material:)

Mr. DREIER, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

Mr. STEARNS, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. RUSH, for 5 minutes, today.

#### EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. PALLONE) to revise and extend their remarks and include extraneous material:)

Mr. KUCINICH.

Mr. MCGOVERN.

Mr. HAMILTON.

Mr. PICKETT.

Mrs. MALONEY of New York.

Mr. STARK.

Ms. FURSE.

Ms. KAPTUR.

Mrs. MEEK of Florida.

Mr. POMEROY.

Mr. LIPINSKI.

(The following Members (at the request of Mr. SHIMKUS) to revise and extend their remarks and include extraneous material:)

Mr. NORWOOD.

Mr. HYDE.

Mr. YOUNG of Alaska.

Mr. RILEY.

Mr. EVERETT.

Mr. HUNTER.

Mr. FORBES.

(The following Members (at the request of Mr. SMITH of Michigan) and to include extraneous matter:)

Mr. GINGRICH.

Mr. WALSH in two instances.

Mrs. ROUKEMA.

Mr. HAMILTON.

Mr. PITTS.

Mr. SOLOMON in two instances.

Mr. GILMAN.

Mr. HOYER.

Mr. SMITH of New Jersey.

Mr. GALLEGLY.

(The following Members (at the request of Ms. JACKSON-LEE of Texas) and to include extraneous matter:)

Mr. KING.

Mr. UPTON.

#### ADJOURNMENT

Ms. JACKSON-LEE of Texas. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 53 minutes p.m.), the House adjourned until tomorrow, Thursday, April 10, 1997, at 10 a.m.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2656. A letter from the Executive Director, Defense Environmental Response Task

Force, Department of Defense, transmitting the report on the actions of the Defense Environmental Response Task Force for fiscal year 1995, pursuant to Public Law 101-510, section 2923(c)(1) (104 Stat. 1821); to the Committee on National Security.

2657. A letter from the Director, Defense Procurement, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement: Streamlined Research and Development Clause Lists [DFARS Case 96-D028] received April 7, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on National Security.

2658. A letter from the General Counsel, Department of Defense, transmitting a draft of proposed legislation entitled "Retirement of Regular Commissioned Officers at Age 62. Exception for Deputy Chief and Chief of Chaplains"; to the Committee on National Security.

2659. A letter from the Assistant Secretary for Health Affairs, Department of Defense, transmitting notification that the final report for the plan ensuring the provision of medical care to any natural child of a member of the Armed Forces will be available no later than June, 1997; to the Committee on National Security.

2660. A letter from the Secretary of Housing and Urban Development, transmitting a report entitled "Moving Toward a Lead-Safe America: A Report to the Congress of the United States", pursuant to Public Law 102-550, section 1061(b) (106 Stat. 3927); to the Committee on Banking and Financial Services.

2661. A letter from the Chairman, Board of Governors of the Federal Reserve System, transmitting a report on whether organizations make sensitive consumer identification information available to the public, and whether such activities create undue potential for fraud and risk of loss to insured depository institutions, pursuant to Public Law 104-208 section 2422(c) (100 Stat. 3009); to the Committee on Banking and Financial Services.

2662. A letter from the Clerk, U.S. Court of Appeals for the District of Columbia Circuit, transmitting an opinion of the U.S. Court of Appeals for the District of Columbia Circuit (No. 96-7030—*Carole Kolstad v. American Dental Association* (March 21, 1997)); to the Committee on Education and the Workforce.

2663. A letter from the Acting Secretary of Energy, transmitting a report entitled "District Heating, Cooling, and Cogeneration: Benefits, Constraints, and Recommendations," pursuant to section 172(b) of the Energy Policy Act of 1992; to the Committee on Commerce.

2664. A letter from the Administrator, National Aeronautics and Space Administration, transmitting the Administration's report entitled "Annual Report to Congress—Progress on Superfund Implementation in Fiscal Year 1996," pursuant to 45 U.S.C. 9651; to the Committee on Commerce.

2665. A letter from the Director, Defense Security Assistance Agency, transmitting a copy of Transmittal No. 97-A, which relates to the Department of the Navy's proposed enhancements or upgrades from the level of sensitivity of technology or capability of defense article(s) previously sold to the Coordination Council for North American Affairs [CCNAA], currently identified as the Taipei Economic and Cultural Representative Office [TECRO] in the United States, pursuant to 22 U.S.C. 2776(b)(5)(C); to the Committee on International Relations.

2666. A letter from the Chairman of the Board, African Development Foundation.

transmitting a draft of proposed legislation to authorize appropriations for the African Development Foundation, pursuant to 31 U.S.C. 1110; to the Committee on International Relations.

2667. A letter from the President, Inter-American Foundation, transmitting a draft of proposed legislation to authorize appropriations for fiscal years 1998 and 1999 for the Inter-American Foundation, pursuant to 31 U.S.C. 1110; to the Committee on International Relations.

2668. A letter from the president and CEO, Overseas Private Investment Corporation, transmitting a draft of proposed legislation entitled the "Overseas Private Investment Corporation Amendments Act of 1997"; to the Committee on International Relations.

2669. A communication from the President of the United States, transmitting a letter notifying Congress that on March 25, 1997, a standby evacuation force of the U.S. military personnel from the United States European Command and the United States deployed to Congo and Gabon to provide enhanced security for the more than 300 American private citizens, government employees, and selected third country nationals in Kinshasa, Zaire, should their evacuation become necessary (H. Doc. No. 105-63); to the Committee on International Relations and ordered to be printed.

2670. A letter from the Director, Office of Personnel Management, transmitting notification that OPM has approved proposals for five personnel management demonstration projects for the Department of the Army, submitted by the Department of Defense, pursuant to Public Law 103-337, section 342(b) (108 Stat. 2721); to the Committee on Government Reform and Oversight.

2671. A letter from the Assistant Attorney General of the United States, transmitting a draft of proposed legislation entitled the "Radiation Exposure Compensation Act Amendments of 1997"; to the Committee on the Judiciary.

2672. A letter from the Assistant Attorney General, Department of Justice, transmitting a copy of the Bureau of Justice Assistance report entitled, "Fiscal Year 1995 Annual Report to Congress," pursuant to 42 U.S.C. 3789e; to the Committee on the Judiciary.

2673. A letter from the Clerk, U.S. Court of Appeals for the District of Columbia Circuit, transmitting an opinion of the U.S. Court of Appeals for the District of Columbia Circuit (No. 95-7164—*Rafic Saadeh v. Fawaz Farouki* (March 4, 1997)); to the Committee on the Judiciary.

2674. A letter from the Clerk, U.S. Court of Appeals for the District of Columbia Circuit, transmitting an opinion of the U.S. Court of Appeals for the District of Columbia Circuit (No. 96-5148—*United States of America v. Consumer Health Services of America, Inc. and Roger Schlossberg, Trustee* (March 18, 1997)); to the Committee on the Judiciary.

2675. A letter from the Clerk, U.S. Court of Appeals for the District of Columbia Circuit, transmitting an opinion of the U.S. Court of Appeals for the District of Columbia Circuit (No. 96-3060—*United States of America v. Leo Darryl Harrington* (March 25, 1997)); to the Committee on the Judiciary.

2676. A letter from the Administrator, Environmental Protection Agency, transmitting the Agency's report entitled "The Superfund Innovative Technology Evaluation Program, Annual Report to Congress FY 1995," pursuant to 42 U.S.C. 9604; to the Committee on Science.

2677. A letter from the Director, National Science Foundation, transmitting a draft of proposed legislation entitled the "National Science Foundation Authorization Act for Fiscal Years 1998 and 1999," pursuant to 31 U.S.C. 1110; to the Committee on Science.

2678. A letter from the Chairman, Prospective Payment Assessment Commission, transmitting the annual report on the Prospective Payment Assessment Commission, pursuant to 42 U.S.C. 1395ww(e)(6)(G)(i); to the Committee on Ways and Means.

2679. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation entitled the "Maritime Administration Authorization Act for Fiscal Years 1998 and 1999," pursuant to 31 U.S.C. 1110; jointly, to the Committees on National Security and Transportation and Infrastructure.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. STUMP: Committee on Veterans' Affairs. H.R. 1092. A bill to amend title 38, United States Code, to extend the authority of the Secretary of Veterans Affairs to enter into enhanced-use leases for Department of Veterans Affairs property, to rename the U.S. Court of Veterans Appeals and the National Cemetery System, and for other purposes (Rept. 105-47). Referred to the Committee of the Whole House on the State of the Union.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. HYDE (for himself, Mr. COBLE, Mr. CANADY of Florida, Mr. BONO, Mr. BRYANT, and Mr. GOODLATTE):

H.R. 1252. A bill to modify the procedures of the Federal courts in certain matters, and for other purposes; to the Committee on the Judiciary.

By Mr. SMITH of New Jersey:

H.R. 1253. A bill to authorize appropriations for the Department of State and related agencies for the fiscal years 1998 and 1999, and for other purposes; to the Committee on International Relations.

By Mr. BLUNT (for himself, Mr. CLAY, Ms. DANNER, Mrs. EMERSON, Mr. GEPHARDT, Mr. HULSHOF, Ms. MCCARTHY of Missouri, Mr. SKELTON, and Mr. TALENT):

H.R. 1254. A bill to designate the U.S. post office building located at Bennett and Kan-

sas Avenue in Springfield, MO, as the "John N. Griesemer Post Office Building"; to the Committee on Government Reform and Oversight.

By Ms. ESHOO (for herself, Mr. FROST, Ms. PELOSI, Mr. FARR of California, Mrs. MALONEY of New York, Mr. MILLER of California, Mr. MCGOVERN, and Ms. SLAUGHTER):

H.R. 1255. A bill to amend the Rehabilitation Act of 1973 to establish certain additional requirements relating to electronic and information technology accessibility guidelines for individuals with disabilities, and for other purposes; to the Committee on Education and the Workforce.

By Mr. FORBES:

H.R. 1256. A bill to authorize the exchange of National Park Service land in the Fire Island National Seashore in the State of New York for land in the Village of Patchogue, Suffolk County, NY; to the Committee on Resources.

H.R. 1257. A bill to amend the Internal Revenue Code of 1986 to establish, and provide a checkoff for, a biomedical research fund, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FRANKS of New Jersey (for himself, Mr. BILBRAY, Mr. GALLEGLY, Mr. HORN, Mr. KIM, Ms. MOLINARI, and Mr. ROHRBACHER):

H.R. 1258. A bill to require the Attorney General to conduct a pilot program under which the Attorney General will notify a State of potential employment opportunities for welfare recipients in the State created by the removal of unauthorized aliens from work sites, and to reward pilot program States with a high rate of success in placing such recipients in such employment positions; to the Committee on Ways and Means, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MILLER of California (for himself, Mr. FALEOMAVAEGA, Mr. ABERCROMBIE, Mr. OLIVER, Mr. PALLONE, Mr. FARR of California, Mr. SMITH of New Jersey, Mr. STARK, Ms. PELOSI, Mr. DEFAZIO, Mr. YATES, Mr. KENNEDY of Rhode Island, Mr. BROWN of California, Mr. EVANS, Mr. LANTOS, Mr. DELLUMS, Mr. DELAHUNT, Ms. WOOLSEY, and Mr. TOWNS):

H.R. 1259. A bill to amend the Marine Mammal Protection Act of 1972 to lift the trade embargoes on dolphin-safe tuna harvested in the eastern tropical Pacific Ocean, and for other purposes; to the Committee on Resources.



By Mr. UPTON (for himself, Mr. WAXMAN, Mr. MURTHA, Mr. ABERCROMBIE, Mr. ALLEN, Mr. ACKERMAN, Mr. BALDACCIO, Mr. BARRETT of Wisconsin, Mr. BEREUTER, Mr. BERMAN, Mr. BLAGOJEVICH, Mr. BLUMENAUER, Mr. BORSKI, Mr. BOUCHER, Mr. BROWN of California, Mr. CAMPBELL, Mr. CAPPS, Mr. CARDIN, Ms. CARSON, Mr. CHAMBLISS, Mrs. CLAYTON, Mr. CONDIT, Mr. COYNE, Mr. DAVIS of Virginia, Mr. DEAL of Georgia, Mr. DEFazio, Mr. DELLUMS, Mr. DINGELL, Mr. ENGLISH of Pennsylvania, Ms. ESHOO, Mr. EVANS, Mr. FALCONA, Mr. FALCONA, Mr. FALCONA of California, Mr. FILNER, Mr. FLAKE, Mr. FOGLIETTA, Mr. FOLEY, Mr. FORBES, Mr. FRANK of Massachusetts, Mr. FRANKS of New Jersey, Mr. FRELINGHUYSEN, Mr. FROST, Mr. FOX of Pennsylvania, Mr. GALLEGLY, Mr. GILMAN, Mr. GONZALEZ, Mr. GUTIERREZ, Mr. HASTINGS of Florida, Mr. HEFNER, Mr. HILLARD, Mr. HINCHEY, Mr. HORN, Mr. JACKSON, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KENNEDY of Rhode Island, Mrs. KENNELLY of Connecticut, Mr. KLUG, Mr. KOLBE, Mr. LAMPSON, Mr. LEWIS of Georgia, Ms. LOFGREN, Mrs. LOWEY, Mrs. MALONEY of New York, Mr. MARTINEZ, Mr. MASCARA, Mrs. MCCARTHY of New York, Mr. MCDADE, Ms. MCKINNEY, Mrs. MEEK of Florida, Mr. MENENDEZ, Mr. MILLER of California, Mrs. MINK of Hawaii, Ms. MOLINARI, Mrs. MORELLA, Mr. NEAL of Massachusetts, Ms. NORTON, Mr. OBERSTAR, Mr. OLIVER, Mr. OWENS, Mr. PALLONE, Mr. PASCRELL, Mr. PASTOR, Mr. PAYNE, Ms. PELOSI, Mr. PRICE of North Carolina, Ms. PRYCE of Ohio, Mr. QUINN, Mr. RAMSTAD, Mr. ROTHMAN, Mr. SABO, Ms. SANCHEZ, Mr. SANDERS, Mr. SCHIFF, Mr. SERRANO, Mr. SHADEGG, Mr. SHAYS, Mr. SKAGGS, Mr. SKEEN, Mrs. TAUSCHER, Mr. THOMPSON, Mrs. THURMAN, Mr. TOWNS, Mr. TRAFICANT, Mr. UNDERWOOD, Mr. VENTO, Mr. WISE, Mr. YATES, Mr. BONIOR, Mr. HEFLEY, and Ms. WOOLSEY):

H.R. 1260. A bill to amend the Public Health Service Act to provide for the establishment of a program for research and training with respect to Parkinson's disease; to the Committee on Commerce.

By Mr. NUSSLE (for himself and Mr. MINGE):

H.R. 1261. A bill to amend the Internal Revenue Code of 1986 to exclude certain farm rental income from net earnings from self-employment if the taxpayer enters into a lease agreement relating to such income; to the Committee on Ways and Means.

By Mr. OXLEY (for himself, Mr. BLILEY, Mr. MANTON, Mr. DINGELL, and Mr. MARKEY):

H.R. 1262. A bill to authorize appropriations for the Securities and Exchange Commission for fiscal years 1998 and 1999, and for other purposes; to the Committee on Commerce.

By Mr. PALLONE (for himself, Mrs. ROUKEMA, Ms. ESHOO, Ms. PELOSI, and Mr. MCDERMOTT):

H.R. 1263. A bill to amend the Public Health Service Act to provide access to health care insurance coverage for children and to amend the Internal Revenue Code of 1986 to increase the excise taxes on tobacco products for the purpose of offsetting the Federal budgetary costs associated with such insurance coverage; to the Committee on Com-

merce, and in addition to the Committees on Ways and Means, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCHUMER:

H.R. 1264. A bill to amend title 18, United States Code, to prohibit gunrunning, and provide mandatory minimum penalties for crimes related to gunrunning; to the Committee on the Judiciary, and in addition to the Committee on Government Reform and Oversight, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SOLOMON:

H.R. 1265. A bill to assure appropriate disincentives to the illegal use of marijuana in those States where there is an exception for medicinal purposes to the prohibition against the use of marijuana by denying Federal benefits to persons convicted of certain drug offenses; to the Committee on Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STEARNS:

H.R. 1266. A bill to amend the Internal Revenue Code of 1986 to index the basis of certain assets for purposes of determining gain, to provide for the establishment of American Dream Savings Accounts, and to repeal the increase enacted in 1993 in taxes on Social Security benefits; to the Committee on Ways and Means.

By Mr. YOUNG of Alaska:

H.R. 1267. A bill to amend the Internal Revenue Code of 1986 to allow a charitable contribution deduction for certain expenses incurred by whaling captains in support of Native Alaskan subsistence whaling; to the Committee on Ways and Means.

By Mr. SMITH of New Jersey (for himself, Mr. PORTER, Mr. WOLF, Mr. SALMON, Mr. CHRISTENSEN, Mr. HOYER, Mr. MARKEY, and Mr. CARDIN):

H. Con. Res. 59. Concurrent resolution concerning the return of or compensation for wrongly confiscated foreign properties in formerly Communist countries and by certain foreign financial institutions; to the Committee on International Relations.

By Mr. MICA:

H.J. Res. 108. Resolution designating majority membership on certain standing committees of the House; considered and agreed to.

By Mr. PITTS (for himself, Mr. SAM JOHNSON, Mrs. KELLY, Mr. DOOLITTLE, Mr. PAUL, Mr. HERGER, Mr. SESSIONS, Mr. SHADEGG, and Mr. QUINN):

H.J. Res. 109. Resolution expressing the sense of the House of Representatives that American families deserve tax relief; to the Committee on Ways and Means.

#### ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 14: Mr. DEAL of Georgia, Mr. PAPPAS, Mr. CHRISTENSEN, Mr. WEXLER, Mr. FRELINGHUYSEN, Mr. NETHERCUTT, Mr. ROYCE, Mr. LEACH, Mr. THORNBERRY, Mr. BARCIA of

Michigan, Mr. MCHUGH, Mr. DICKEY, Mr. PAUL, Mr. BAKER, Mr. CAMP, Mr. LATOURETTE, and Mr. PAXON.

H.R. 45: Mr. BONIOR.

H.R. 58: Mr. CANADY of Florida, Mr. PAPPAS, Mrs. JOHNSON of Connecticut, Mr. SHIMKUS, Mr. FOGLIETTA, Mr. SNOWBARGER, Mr. KENNEDY of Rhode Island, Mr. BENTSEN, Mr. CAPPS, Mr. GUTKNECHT, and Mr. GALLEGLY.

H.R. 96: Mr. GALLEGLY, Mr. CASTLE, Ms. NORTON, Mrs. THURMAN, and Mrs. NORTHUP.

H.R. 123: Mrs. FOWLER.

H.R. 145: Mr. SANDERS, Mr. KENNEDY of Rhode Island, Mr. DAVIS of Illinois, Mr. KUCINICH, Mr. MCGOVERN, Mr. ADAM SMITH of Washington, Mr. FOGLIETTA, Mr. HEFNER, Mrs. MINK of Hawaii, Mr. KILDEE, Mrs. MEEK of Florida, Mr. GORDON, and Mr. FORD.

H.R. 148: Mr. FATTAH.

H.R. 165: Mr. GONZALEZ.

H.R. 168: Mr. TALENT.

H.R. 210: Mr. LEWIS of Georgia.

H.R. 218: Mr. FORBES and Mrs. THURMAN.

H.R. 324: Mr. BLAGOJEVICH.

H.R. 335: Mr. ENGLISH of Pennsylvania, Mr. McNULTY, and Mr. DAVIS of Virginia.

H.R. 338: Mr. FRELINGHUYSEN.

H.R. 339: Mr. RILEY.

H.R. 345: Mr. HUTCHINSON.

H.R. 453: Mr. MARTINEZ, Mr. LEWIS of Georgia, Mr. BORSKI, Mrs. MORELLA, Ms. PELOSI, and Mr. GOSS.

H.R. 455: Mr. RUSH.

H.R. 456: Mr. MARTINEZ and Mr. RUSH.

H.R. 471: Mr. SHAYS and Mr. CAMPBELL.

H.R. 475: Mr. GRAHAM, Mr. MCHUGH, and Mr. GILMAN.

H.R. 476: Mr. KIND of Wisconsin, Ms. KILPATRICK, Mr. WAXMAN, Mr. MARTINEZ, and Mr. WATT of North Carolina.

H.R. 538: Mr. CAPPS and Mr. FALCONA.

H.R. 551: Mrs. LOWEY.

H.R. 552: Mr. CONYERS and Mr. SHAYS.

H.R. 600: Mr. MOAKLEY.

H.R. 622: Mr. DUNCAN.

H.R. 623: Mr. ENGLISH of Pennsylvania, Mr. WALSH, Mr. MASCARA, Mr. WISE, and Mrs. MALONEY of New York.

H.R. 633: Mr. KANJORSKI.

H.R. 638: Mr. PITTS.

H.R. 640: Mr. PAUL.

H.R. 641: Mr. HOSTETTLER.

H.R. 650: Mr. CRANE, Mr. LIPINSKI, Ms. KAPTUR, Mr. HASTERT, and Mr. GONZALEZ.

H.R. 690: Mr. PAUL.

H.R. 722: Mr. DUNCAN, Mr. BONILLA, Mr. BROWN of Ohio, Mr. PETERSON of Pennsylvania, Mr. BRYANT, Mr. EHRLICH, Mr. BASS, Mr. HALL of Texas, and Mr. LUCAS of Oklahoma.

H.R. 723: Mr. BONILLA, Mr. CRAMER, Mr. HINOJOSA, Mr. MINGE, Mr. POMEROY, and Mr. TIAHRT.

H.R. 774: Mrs. MORELLA, Mr. DEFazio, Mr. CLYBURN, Mr. JEFFERSON, Mr. DELLUMS, and Mr. FALCONA.

H.R. 810: Mr. MARTINEZ, Mr. FARR of California, Mr. MEHAN, and Ms. SANCHEZ.

H.R. 811: Mr. COBURN, Mr. SANDERS, and Mr. SNOWBARGER.

H.R. 849: Mr. PAPPAS and Mr. HASTERT.

H.R. 879: Mr. PAYNE, Ms. FURSE, Mr. DELLUMS, Mr. MARTINEZ, and Mrs. MINK of Hawaii.

H.R. 880: Mr. MCHUGH, Mr. BUYER, Mr. CLEMENT, Mr. NEY, Mr. DEAL of Georgia, Mr. HAMILTON, Mr. SNOWBARGER, Mr. CHRISTENSEN, Mr. ISTOOK, Mr. SKELTON, and Mr. FROST.

H.R. 885: Mr. WYNN and Mr. RAHALL.

H.R. 886: Mr. WYNN and Mr. RAHALL.

H.R. 887: Mr. WYNN and Mr. RAHALL.

H.R. 888: Mr. WYNN and Mr. RAHALL.  
H.R. 901: Mr. COOK, Mr. LIVINGSTON, Mr. HYDE, Mr. EVERETT, Mr. THORNBERRY, Mr. COOKSEY, Mr. MICA, Mr. BISHOP, and Mrs. NORTHUP.

H.R. 902: Mr. GREENWOOD, Mr. EVERETT, Mr. LEWIS of California, Mr. RADANOVICH, Mr. SHIMKUS, Mrs. FOWLER, and Mr. MICA.

H.R. 911: Mr. STEARNS, Mr. DAN SCHAEFER of Colorado, Ms. GRANGER, Mr. SKAGGS, Mr. HULSHOF, and Mr. COMBEST.

H.R. 920: Ms. STABENOW.

H.R. 956: Mr. SOLOMON and Mr. BARTON of Texas.

H.R. 964: Mr. ENGLISH of Pennsylvania, Mr. COOK, Ms. KILPATRICK, Mr. TAYLOR of North Carolina, Mrs. KELLY, Mr. SESSIONS, Mrs. NORTHUP, Mrs. MYRICK, Mr. COBURN, Mr. BARTON of Texas, Mr. BOEHNER, and Mr. EHRLICH.

H.R. 965: Mr. CRANE, Mr. SOLOMON, and Mr. CANNON.

H.R. 972: Mr. PAUL.

H.R. 978: Mr. MICA, Mr. YOUNG of Alaska, Mr. STRICKLAND, Mr. KENNEDY of Rhode Island, Mr. CRAMER, Mr. JACKSON, Mr. ENSIGN, Mr. NEY, Mr. COBURN, Mr. BLAGOJEVICH, Mr. BALDACCI, and Mr. DEAL of Georgia.

H.R. 991: Mr. MENENDEZ and Mr. LOBIONDO.

H.R. 1002: Mr. KLECZKA, Mr. COYNE, Mrs. THURMAN, Mrs. MINK of Hawaii, Mr. MATSUI, and Mrs. ROUKEMA.

H.R. 1026: Mr. MALONEY of Connecticut, Mrs. JOHNSON of Connecticut, Mr. CANADY of Florida, Mr. ENGLISH of Pennsylvania, Mr. CALLAHAN, Mr. BLILEY, and Mr. GRAHAM.

H.R. 1054: Mr. MATSUI, Mr. OXLEY, Mr. GOODLATTE, Mr. CAPPs, Mr. HULSHOF, and Mr. BOUCHER.

H.R. 1077: Mr. MANZULLO, Mr. FRANK of Massachusetts, Mr. PETERSON of Pennsylvania, and Mr. WELDON of Pennsylvania.

H.R. 1080: Mr. FRANKS of New Jersey and Mr. ROTHMAN.

H.R. 1090: Mrs. ROUKEMA.

H.R. 1092: Mrs. THURMAN.

H.R. 1117: Mr. PRICE of North Carolina, Mrs. MALONEY of New York, and Mr. RAMSTAD.

H.R. 1126: Mr. REYES.

H.R. 1130: Mr. FALCOMA VAEGA.

H.R. 1153: Mr. GRAHAM.

H.R. 1159: Mr. PAYNE, Mr. THOMPSON, Mr. REYES, and Mrs. MCCARTHY of New York.

H.R. 1203: Mr. SNOWBARGER, Mr. KINGSTON, Mr. MCCOLLUM, and Mr. STEARNS.

H.R. 1226: Mr. BUNNING of Kentucky and Mrs. LINDA SMITH of Washington.

H.R. 1241: Mr. BENTSEN.

H.J. Res. 26: Mr. SHAYS and Mr. COLLINS.

H.J. Res. 54: Mr. MICA.

H. Con. Res. 10: Mrs. JOHNSON of Connecticut, Mr. SHAYS, Mr. RUSH, Mr. CAMP, Ms. SLAUGHTER, and Mr. BEREUTER.

H. Con. Res. 12: Mrs. LOWEY and Mr. LOBIONDO.

H. Con. Res. 13: Mr. WICKER, Mr. YATES, Ms. STABENOW, Mr. BROWN of Ohio, Mr. FORBES, Mr. PALLONE, Mr. STUMP, Mr. DIXON, Mr. BARR of Georgia, Mr. PASCRELL, Mr. COMBEST, Mr. BOYD, Mr. SNYDER, Mr. GIBBONS, Mr. DAVIS of Florida, Mr. ROTHMAN, Mr. SHAW, and Mr. LATOURETTE.

H. Con. Res. 44: Mr. LANTOS, Mrs. MALONEY of New York, Mr. EHLERS, and Mr. ABERCROMBIE.

H. Con. Res. 52: Mr. PETERSON of Minnesota, Mrs. CARSON, Mr. SCHIFF, Mr. MASCARA, Mr. LEACH, Mr. HAMILTON, Mr. FRANK of Massachusetts, Mr. BEREUTER, Ms. KAPTUR, and Mr. FOX of Pennsylvania.

H. Con. Res. 53: Mr. GORDON, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. ORTIZ.

H. Res. 21: Mr. BACHUS.

H. Res. 22: Mr. BORSKI, Mr. WEXLER, Mr. MANZULLO, Mr. ACKERMAN, Mr. LUTHER, Mr. GEJDENSON, Mr. BOUCHER, and Ms. DUNN of Washington.

H. Res. 83: Mr. LEACH and Mr. FATTAH.